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FEBRUARY 21, 1983 Vol. 121 No. 8 THE WEEKLY NEWSMAGAZINE

A Letter from the Publisher

Over the years, reporters covering Israeli internal affairs have found that the politics of that freewheeling democracy are noisy, but usually nonviolent. This emotional climate may be changing, as members of TIME's Jerusalem Bureau learned while preparing this week's cover story on the Israeli crisis generated by the Beirut massacre commission report. When a hand grenade was thrown into a crowd of demonstrators in Jerusalem, TIME's Robert Slater was standing 100 yards away, near the front door of the Prime Minister's office. "In the past decade," he says, "I have spent hundreds of hours doorstepping Israeli Cabinet meetings, and I always had the sense that this area was immune to violence. But after that grenade thundered in the air, I thought: How ironic. The most violent place to be is not with the Israeli army in Lebanon, but here." Jerusalem Correspondent David Halevy, a native-born Israeli who has reported on his nation for TIME for 15 years, was shocked by the Israeli violence. "We can either remain a unique democratic society," Halevy says, "or become just another Middle Eastern state."

DAVID RUBINGER

Bureau Chief Harry Kelly covers a Jerusalem demonstration

Jerusalem Bureau Chief Harry Kelly found that despite the strains in the political fabric, most Israelis, from Foreign and Defense Ministry officials to chance acquaintances, are more than eager to talk. Says Kelly: "They prefer, actually insist, that their names not be used." Kelly is a veteran of political skirmishes in Chicago and Washington. He worked for the Chicago *Tribune* and, from 1979 to 1981, for the Washington *Star*, where he served first as assistant, then as associate managing editor. Kelly arrived in Israel last fall after a year at TIME's New York Bureau and discovered that Jerusalem cab drivers are just as garrulous as their New York City counterparts. "A lot of Israeli cabbies speak English," he says, "and they're always willing to point out how wrong you are." Kelly speaks no Hebrew, but he does have at least limited aspirations. "I want to learn enough," he says, "to tell the laundry not to starch my shirts."

John a. Meyer

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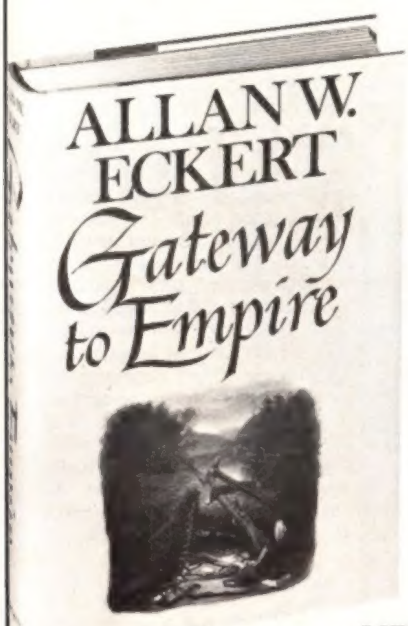
Allan W. Eckert pushes back the frontier.



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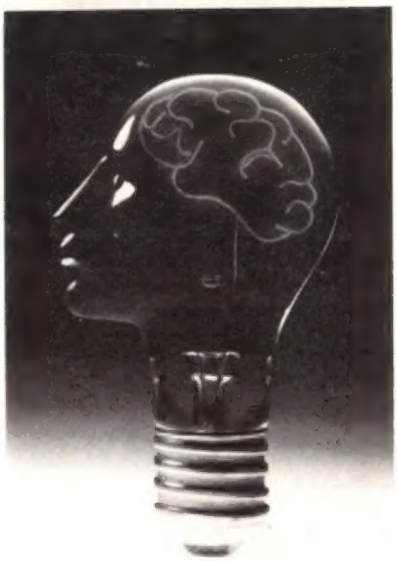

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Letters

Nuclear Stakes

To the Editors:

Your article on nuclear missiles [Jan. 31] brought out both the idealistic and the realistic positions on the issue. However, the Europeans would be wise to be realistic and realize that American defense forces have helped them maintain a free, prosperous life throughout the post–World War II period. If the West cannot remain united on the question of security, Western Europe risks becoming Finlandized.

Peter George Glick
Washington, D.C.

Part of the game of poker is knowing when to quit. What we have now is hyped-up publicity aimed at winning over the Europeans. Our Government should stop playing and start dealing with the reality of a nuclear nightmare.

Philip Naff
Fort Sheridan, Ill.

If the people of Western Europe compel the U.S. to play nuclear poker with a stacked deck, we ought to toss in our hand and walk out, taking our rockets, our aircraft, our tanks and our military personnel with us.

Joseph K. Van Denburg
Boiling Springs, Pa.

The U.S. will never again achieve nuclear superiority. But if it plays its cards right, our Government can accomplish some semblance of nuclear equality in Europe. To gain this position, the State Department will have to campaign more actively for the support of our European allies, and West German Chancellor Kohl will have to persuade his country to accept the basing of the Pershing. The other European countries would then follow his lead.

Dennis W. Raraigh
Wexford, Pa.

Your report on arms control has made clear to me the futility of President Reagan's defense spending. He insists on expending billions on items like the Pershing II missile, when those dollars could be put to better use reviving the nation's economy. One day the President may find himself spending billions in defense of a country that is but a feeble shadow of the superpower it once was.

Diana Mejia
East Peoria, Ill.

President Reagan is not serious about arms control. There is only one zero option, the total elimination of all nuclear weapons in every nation.

Ronald N. Chastain
Chula Vista, Calif.

Warfare in the nuclear age is a no-win proposition. Since I cannot say "Deal me out," I am going to join those who are working to freeze, and eventually reduce, nuclear warheads.

Walt Matell
Ketchikan, Alaska

Everyone who voted for the nuclear freeze in November should take a close look at Yuri Andropov's words: "Let no one expect unilateral disarmament from us. We are not naive people." The goals of the Soviet Union are the same as they have always been. The only thing that has changed is how it is playing the game.

Frederick James Lane
Bel Air, Md.

None of the stories I have read about arms control affected me as did yours with its picture of the Kremlin façade. The Soviet hammer and sickle are a familiar sight, but I have never seen the emblem superimposed on the globe. That symbol evoked all the long-forgotten cold war fanaticism about Soviet world domination.

Robert A. Dodd
Arlington, Va.

When are we going to quit playing games and get down to settling the arms race? Regardless of what either side thinks, no one will come out the winner. This is not poker, it is a matter of survival.

Janell Hesch-Smith
Menomonie, Wis.

Muzzling Medvedev

After reading about the Soviet Union's fear of our nuclear missiles, I turned to the article on the harassment of Soviet Historian Roy Medvedev [Jan. 31]. In the photograph of Medvedev, I saw an even greater Soviet fear: a brave, thoughtful man armed only with a pencil.

Jimmy Pritchard
Annandale, Va.

Murder in Memphis

Your story about the shootout in Memphis [Jan. 31] raises serious questions about our society's attitudes toward

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Letters

criminals. Maxine Smith, executive secretary of the Memphis N.A.A.C.P., and Walter Bailey, Shelby County commissioner, wrongly portray the police as the criminals. Officer Robert Hester, who was tortured and murdered, was the victim. His fellow officers, who were forced to stand by and listen to Hester's screams and pleas for mercy, were also victims. Lindberg Sanders and his cult followers are the criminals.

David E. Perry
Ashland, Va.

I am amazed at the criticism of how the police handled the affair. We forget too easily that a police officer was taken hostage and murdered.

Charles J. Stahl IV
Johnson City, Tenn.

When seven people lure and capture a policeman and then torture him to death, they are entering into war with the law. The skin color of the policeman or the antagonists should not be an issue.

Vernon Brabham Jr.
Marietta, Ga.

Nakasone Visit

One must applaud the restraint of Japanese Prime Minister Nakasone [Jan. 24] in not saying, "If Americans made cars, TVs and calculators more attractive to the consumer than ours, the U.S. would not have a trade problem."

John G. Smith
Ely, Nev.

Falklands Future

Britain may not continue its occupation of the Falklands [Jan. 31] for long. Economics, geography and military logistics make it difficult to defend the islands. The next time around, the Argentine military will avoid its past mistakes. There will be no diplomatic solution to this problem. England does well to enjoy its victory while it lasts.

F. Duran Martinez
Kennewick, Wash.

Prime Minister Thatcher's visit to the Falkland Islands can be considered an act of provocation only by a country that also deals in provocation and colonialist adventurism. Her action is loyal and constant in a world of inconstant and shifting alliances born of economic expedience.

Julia Carragan
Troy, N.Y.

Tribal Jealousy

Your article "The Plague of Tribal Enmity" [Jan. 17] focused mainly on the feud between Zimbabwe's Shona and Ndebele tribes, ignoring the other oppressed groups. As a member of a Zimbabwe minority tribe, I deplore the lack of dialogue between the people of my nation.

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Letters

Their refusal to accept religious, linguistic or racial diversity in others is a clear signal of a fatal future.

Freedom Nkomo
Providence

Sizing Up Scientology

Scientology's aim is to increase a person's ability to deal with life's problems [Jan. 31]. The religion uses modern technology to achieve goals that other groups try to reach through prayer. All great religions have had upheaval and dissent within their organizations. I am not active in the Church of Scientology, but I can trace the success and happiness of my life to the teachings of L. Ron Hubbard, the founder of Scientology.

Peter Brock
Rancho California, Calif.

It is incredible that in this age, people can believe, as the Scientologists do, that emotional and physical ailments can be cured with two tin cans wired to a galvanometer. Scientology Founder L. Ron Hubbard was a good science-fiction writer. He should have remained in that field. His worldwide followers should turn in their tin cans for recycling.

Hugo Pastore Jr.
Venice, Calif.

After 74 trillion years in existence, Hubbard surely deserves a two-year rest.

Nina M. Nelson
Hobart, Ind.

Original McPhee

Your pleasant review of John McPhee's book *In Suspect Terrain* [Jan. 31] states: "No other journalist avoids the obvious with as much success as John McPhee. To hold readers through books about oranges, the New Jersey Pine Barrens or birchbark canoes is a tribute to his eye for narrative grain and hand for prose dovetails. The sanding and finishing are done by editors at *The New Yorker*, where McPhee's books first appear." In actuality, John McPhee's prose is written, sanded and polished by John McPhee.

William Shawn, Editor in Chief
The New Yorker
New York City

Risky Contraceptive

After the birth of my second child, I was given an injection of Depo-Provera [Jan. 24]. I immediately began to bleed and to experience depression and insomnia. The side effects did not abate for a year. More research is needed before this drug is used as a contraceptive in this or any other country.

Paula Jeanne Raynar
Longview, Texas

So Upjohn Research Manager Gordon Duncan believes that the side effects of Depo-Provera are not serious enough to "preclude its use as a contraceptive." Would he feel the same way if it were a male contraceptive that caused weight gain and a loss of sex drive, as well as the male equivalent of "complete cessation of menstrual bleeding"?

Jan Higbee
Topeka, Kans.

My mother took the synthetic hormone diethylstilbestrol during her pregnancy. As a DES daughter, I hope that FDA Commissioner Arthur Hayes will not approve the use of Depo-Provera until long-term studies of its safety have been made. We should not give rise, as we did with DES, to another generation of "clinical studies," but should prudently await definitive studies on Depo-Provera's safety.

Debra Shetka Friedman
Des Moines

Saving the Everglades

Floridians should listen to Marjory Stoneman Douglas about the preservation of the Everglades [Jan 31]. The loss of that fragile and unique land not only endangers the wild creatures dependent upon it, but will eventually destroy the fresh-water supply of southern Florida. Fresh water flowing through the shallow Everglades prevents seawater from entering the system. As the delicate balance is disrupted, the water will become more saline and, finally, unusable.

Fran Podulka
Glenview, Ill.

People should be thankful for Marjory Douglas and others who speak with the voice of reason about the world in which we live. Perhaps some day everyone will realize that no matter how advanced our technology is, we should not try to rearrange other life forms to suit ourselves. In most cases, nature needs but one thing from us: to be left alone.

Michael Glenn Backus
Harrisville, N.Y.

Pot on the Bus

The story of School Bus Driver Gloria Arsenault and the pot-smoking students whose bus service was suspended is not something to laugh about [Jan. 17]. The parents who provided the offending children with rides showed a lack of respect for both the school system and the town police. These parents have no one to blame but themselves for the decline of our public schools.

Susan L. Smith
Salt Lake City

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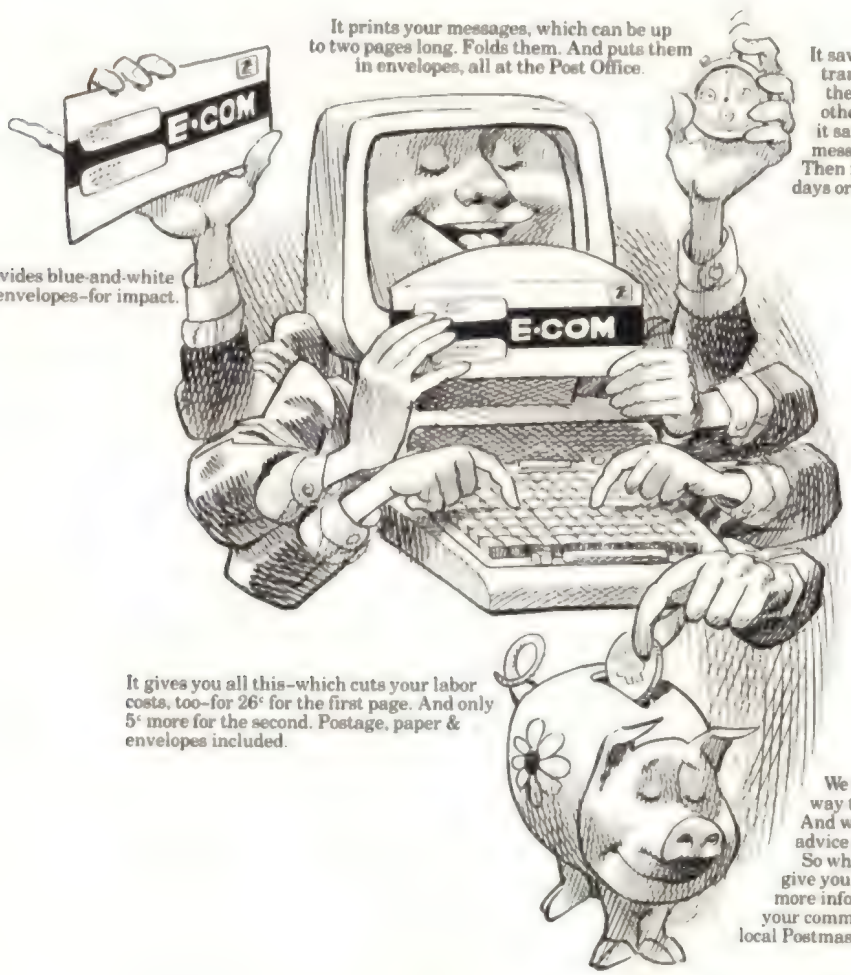

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American Scene

In New York: Be Kind to Your Mugger

It happened far too late to be a fashionable mugging. Practically everybody the middle-aged householder knew had long since been assaulted or purse-snatched, or broken and entered in one way or another. People rarely bothered to talk about muggings at dinner parties any more. Truth to tell, the householder, who often worked late in the city, had grown a bit smug about being spared so long. He always walked fast and purposefully. He was in pretty good shape. And he liked to think that he had acquired from a boyhood in the country some special alertness, a sharper sense of how to avoid danger than his acquaintances.

At social gatherings with his wife's suburban friends, he found himself in a beleaguered minority. He had grown up with guns; still owned two or three, now never actually used. But he moved in circles where guests tended to edge away at cocktail parties whenever he admitted that he wasn't entirely happy with the idea of living unarmed in a state where only cops and criminals have guns.

He saw the liberals' point, of course. If you overtly distrust the system, in some sort of superstitious way you *are* inviting it not to work. What was galling was the suspicion that they would forgive all sorts of antisocial behavior—shoplifting, say, flagrant adultery, embezzlement and, of course, mugging—provided some acceptable frailty of the psyche or pocketbook could be dredged up to excuse it. Even the faintest suggestion that an individual might be justified or obliged to use violence in defending himself touched some deep root of outrage in his neighbors and his wife.

FRANÇOIS ALLAUX FOR TIME

When the mugging happened, he found himself unready. He was plunging along a shadowy, midtown street well past midnight only a few hundred feet from a hotel where he often stayed when he worked late in the city. Suddenly, he was aware of a dark figure behind and to the left. Then, farther off, exactly abreast of him but ten feet away near the buildings, a second figure appeared. That seemed odd, especially since he now noticed there was not another soul on the street. A taxi's brake lights winked in the distance, though, and the pool of light in front of the hotel reassured him. Just as he reached that welcoming glare, the figure on the left cut in front of him. The other shadow moved up to just behind his shoulder. Hand thrust forward in his jacket pocket, the first figure said, "Gimme your money or I'll cut you."

Except for an instant when his breath came short, the householder did not feel afraid. Or angry. Instead, he even found himself glancing toward the curb where a chauffeur dozed, or maddeningly seemed to doze, at the wheel of a parked limousine. There was still nobody else on the street. He was aware that whatever it was in the thief's pocket might not be a knife. Very likely wasn't. It occurred to him to demand to see the weapon, then dodge toward the hotel. At the same time he felt constrained, in some peculiarly inappropriate way, like an actor walking through a barely rehearsed part. Bits of idiot dialogue ran through his mind: "Show me the blade, and I'll show you the money." Folk wisdom was clear, though: never argue, never resist.

"I'll give you what I have," he said. It wouldn't be much. He didn't own a wallet and never carried more than a few dollars cash. In his pockets he found $17—a ten and seven ones—plus some silver. The boy, for as he handed the money over he saw it was a boy about the age of his youngest son, took the bills and scornfully flung the change into the street.

"Where your wallet, man?"

"I don't have a wallet," he said.

"You want me to cut you to get your wallet?"

Explaining that he had only a folding case full of cards, he fished it out. Grabbing at the case, the boy looked nervous for the first time. After a lightning search, he tossed it toward a green wooden planter near the hotel entryway. In doing so, he let fall a single dollar bill. Caught by a little twist of wind, it skittered an inch or two across the sidewalk.

"You dropped a dollar," the middle-aged householder found himself saying. He felt the folly of the words as they left his mouth. A student had lately been killed by a young mugger for saying exactly the same thing, but in that case, apparently, the suggestion came out as a kind of derisive irony. His own words, he knew with shame, had held no irony. They were, in fact, a reflex, an example of sheer, dumb middle-class helpfulness. He found himself actually blushing at the thought of having spoken them.

The boy bent to retrieve the lost bill. Then the two thieves loped easily away down the sidewalk. He stood and watched them go. They wore new jogging shoes and beautiful down jackets of the kind that after some argument, he had recently bought for his son. They were good-looking too. Clear-eyed, strong, giving off a kind of energy, like athletes. It seemed to him that for them the whole thing had been a sort of game. And there they went, jogging away in step, knees high, heads up, shoulder to shoulder like some Damon and Pythias of the inner city. The householder remembered that stride himself. It had carried him across the playing fields of youth after he had been lucky enough to score a goal. For that matter, these two, with their fine jackets and high-stepping pace, looked as carefree as his son and a friend heading away down a tree-lined street at home.

He found himself astonished. Then, for the first time, he had an urge, as strong as a clenching fist, to kill them. His coat had a special change pocket cut laterally into the button flap. It was small, but large enough for a tiny, hammerless handgun he owned and sometimes, to his wife's horror, threatened to license and carry. In an instant, he moved his hand and, in a theatrical reflex, leveled a point-

ing finger at the retreating shapes. With the gun in hand, he knew, *knew*, he would have fired. Aiming for the legs. But he certainly could have killed them both for their disdain.

Inside the hotel he got to a phone and gave the police a description. Two boys in ski jackets. Heading south. The time. The place. After he explained they had taken nothing identifiable, the distant precinct lost interest. Even if the two were picked up, there was nothing they could be held for. Besides, he was lucky to be unhurt, to have lost only $17. All this the bored voice subliminally conveyed to him.

His wife was staying in the hotel. She had come to town for a party, decided to stay in with him, but then gone to bed early. He entered their darkened room quietly. There was no reason, he realized, to wake her up. Nothing had happened, really. In a sense he hadn't even been mugged. The word seemed to require some actual physical hurt. Or some resistance on his part.

It was only next morning that he told the story. She was shocked, but not deeply so. The tale was too familiar. And there he was, safe and sound. Her natural sympathy, in any case, would go out to the two youths, no doubt driven to crime by circumstances beyond their control. Robert Louis Stevenson, the householder sometimes kiddingly reminded his wife, said that to marry is to domesticate the Recording Angel. But the householder did not really think Stevenson's charge described her. She was generally quite forgetful of details, and rarely accumulated small grievances to hold against any one.

In marrying, though, he often felt he had linked himself to the very archangel of liberalism. His wife would not willingly kill anything, even an invading cockroach. Her grievance against him was that he seemed to her a madman—conservative in some irretrievably dangerous way—simply because he could not wholeheartedly join her belief in progress. Most of all because he kept refusing to agree that poverty is the main cause, and excuse, for crime. His ritual suggestions that most poor kids somehow resist the temptation to cut people up, or snatch purses, always led to deep distress in his wife.

So it was only after some hesitation that he confided to her the unexpected and inappropriate moment when he would gladly have killed the two boys. She would take it as one more sign of his antisocial nature, but his brief, murderous perception was, he felt, the only unusual thing about the whole affair.

"They were rank amateurs," he concluded. "Out for fun. The police can't touch them. Nothing will be done until people fight back. When enough muggers get shot up, word will get around that the work is a losing proposition."

"Oh, no!" his wife exclaimed. For the first time real concern, compassion, urgency, stirred in her voice. "Oh, no! We can't have that," she said. "That would lead to lawlessness." —*By Timothy Foote*

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BUCKLE UP FOR SAFETY

DODGE 600

TIME/FEBRUARY 21, 1983

Superfund, Supermess

Take two strong women, subpoenas, probes, shredders and stir well

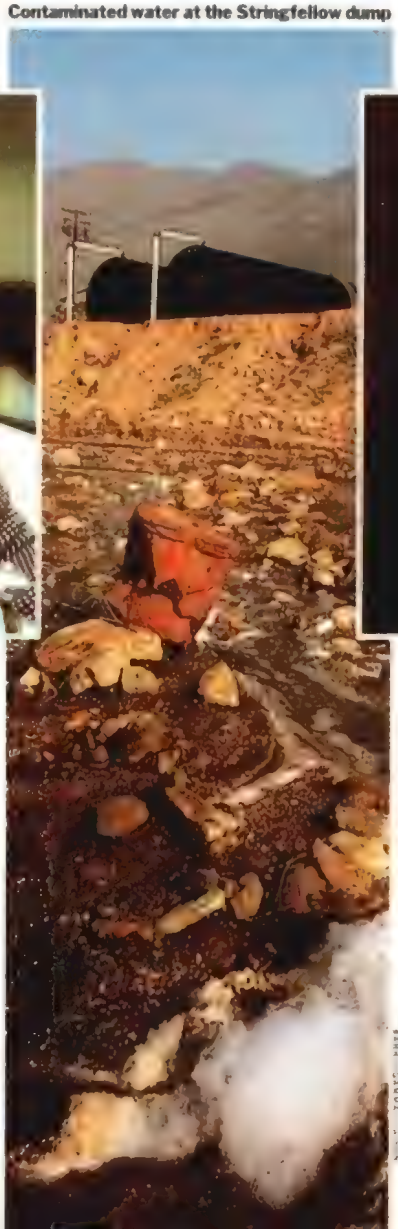
Jolted by the horror of New York's Love Canal and other revelations of chemical poisons seeping into America's earth and water, Congress three years ago created a $1.6 billion "Superfund" for cleaning up hazardous wastes. Drawing on contributions from chemical and oil companies, with costs to be recouped from violators, the measure was hailed as an important beginning in coping with the worst public health threat of the 1980s. It gave the Environmental Protection Agency the money and authority to purge the toxic dumps environmentalists called "ticking time bombs."

Today the ticking may be louder than ever. Despite local officials' pleas for swift action, the agency took until two months ago to identify the 418 sites it regards as most dangerous. Of those, it has cleansed only five. Meanwhile, roiling criticism of the agency and its controversial administrator, Anne Gorsuch, attracted the attention of two congressional subcommittees, which began investigating charges that the EPA had made "sweetheart" deals with polluting companies and delayed cleanups for political reasons. When Gorsuch refused in December to turn over subpoenaed documents pertaining to 160 Superfund sites, she was cited for contempt of Congress—the first time in history for a Cabinet-level official.

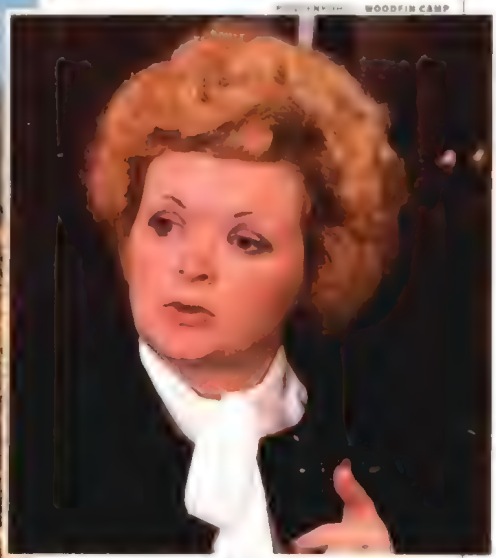
The Superfund issue has exploded into a nasty struggle over power and policy that has shattered the once proud agency and deepened doubts in some quarters about the Reagan Administration's commitment to environmental protection. Last Monday, President Reagan tersely fired Rita Lavelle, the EPA official who oversaw hazardous waste programs, after she refused to resign at Gorsuch's request. Lavelle's ouster provided a glimpse into the bizarre infighting and bitter policy battles that have given the agency under Gorsuch the ambience of a Borgia palace on the Potomac. Appalled by allegations of perjury, conflict of interest and manipulation of federal funds, three more House subcommittees and a Senate committee joined in the EPA probe. "They're smelling blood," said one Democratic House staff member. "They're smelling all kinds of shenanigans."

An embarrassed White House moved to contain the image spill, launching its own probe of the EPA and proposing a compromise to try to settle the contempt case again Gorsuch. But it could do little to muffle the echoes of earlier Capital scandals: whining paper shredders, charges of lying under oath, mysterious erasures on subpoenaed documents, leaked memos and harassment of whistle blowers. Problems began for Lavelle soon after she assumed the $67,200-a-year EPA post ten months ago. Ambitious but short on administrative skills, "she came into the agency like a Mack truck," said one former EPA official. "She simply wasn't suited for a position at that level, and many people virtually ignored her." Her background was in the chemical industry, and she quickly developed a reputation among environmentalists and some EPA career employees for being too willing to

EPA Head Gorsuch testifies before Congress



Contaminated water at the Stringfellow dump



The ousted Lavelle in her office

accommodate companies that wanted to settle disputes quietly in her office and avoid more costly and publicly damaging penalties. Critics charged that she followed Gorsuch's lead in using budget cuts to reduce enforcement efforts.

Despite their seeming philosophical kinship, Gorsuch and Lavelle had a strained relationship. Friction between the two officials increased as Congress gave the Superfund closer scrutiny. According to colleagues, Gorsuch felt that Lavelle, who had worked for two years on Reagan's public relations staff when he was Governor of California, had been forced on her by the White House. Lavelle exacerbated matters by bragging about her ties with Presidential Counsellor Edwin Meese. Although Meese says he knows her only slightly, Lavelle referred to him fondly as her "godfather."

Lavelle further weakened her position by feuding openly with Robert Perry, EPA's general counsel. Their first big clash came last spring, when Perry urged her to avoid a conflict of interest in the case of the Stringfellow Acid Pits dump near Riverside, Calif., a high-priority EPA target site where 32 million gal. of toxic wastes had been dumped during 17 years. Before joining EPA, Lavelle had worked for the California chemical company Aerojet-General Corp., where she developed a public relations campaign to counter pollution charges against the company. It was a job that kept her busy. In 1979 California accused the company of illegally dumping 20,000 gal. per day of poisonous waste; in 1981 the EPA branded Aerojet's liquid fuel plant in Rancho Cordova as one of the nation's worst dumps.

Senators at Lavelle's confirmation hearing were worried about her ties to Aerojet—one of more than 100 companies negotiating with the EPA over dumping in Stringfellow—and made her promise to stay out of cases involving the firm. Nevertheless, Lavelle did not formally disqualify herself from the Stringfellow case until June 18, and informally kept her hand in after that, according to agency insiders.

In September, Democratic Representative Elliott Levitas, chairman of the House Public Works Oversight Subcommittee, which had been investigating EPA's handling of Superfund for several months, asked for documents on cleanup efforts at 160 sites nationwide. At about the same time, Democratic Representative John D. Dingell, chairman of the House Oversight and Investigations Subcommittee, started probing charges by some EPA officials that the agency was holding up a planned $6.1 million grant to clean up Stringfellow until after the November election. According to the charges, which Gorsuch denies, the EPA wanted to prevent California Democratic Governor Jerry Brown from taking credit for the cleanup in his Senate campaign. But Gorsuch refused to yield the documents the subcommittees wanted on Superfund settlement strategies and negotiating positions, calling them too sensitive. The White House backed her up, maintaining that they are protected by Executive privilege. Gorsuch was held in contempt, and two weeks ago a federal judge denied a Justice Department attempt to block the House action.

Lavelle and EPA Counsel Perry collided again last fall, when Lavelle helped engineer a voluntary settlement with 24 major companies to clean up the Seymour Recycling Corp. dump near Seymour, Ind. Perry argued they would do better to take the companies to court because the EPA has no teeth to enforce a voluntary agreement if they renege. A furious Lavelle attacked Perry in an unsigned memo, which some EPA sources say was destined for the White House, for "systematically alienating the primary constituents of this Administration, the business community." Lavelle said the remarks were simply staff notes intended for Gorsuch.

What may have contributed to her dismissal more than such internecine battles was a clash on Dec. 16 with the House Subcommittee on Science and Technology. Lavelle denied to the subcommittee that she had asked the EPA inspector general to investigate Hugh Kaufman, a whistle blower who had frequently criticized the Superfund enforcement, most notably on *60 Minutes*. Kaufman, an EPA engineer, charged that after his TV appearance EPA sleuths trailed him, electronically monitored his office phone, and secretly photographed him going into a motel with a young brunette, who happened to be his wife. Subcommittee Chairman James H. Scheuer later produced two signed statements from officials in the inspector general's office implicating Lavelle in Kaufman's harassment. Last month Scheuer said he was ready to ask the Justice Department to prosecute her for perjury. According to an aide to Scheuer, a high-level EPA official, purporting to represent the White House, approached subcommittee staff members and asked if the Congressman would drop the case if Lavelle resigned. Scheuer sent word that he would. A few days before Lavelle's dismissal, the official notified the aide that the matter would be "resolved shortly." Said Scheuer: "They dumped her because she got caught in perjury."

As a final fillip, Gorsuch learned of Lavelle's scathing memo on Perry. Lavelle was summoned to Gorsuch's office on Friday, Feb. 4, reprimanded ostensibly for the memo, and asked to resign. Lavelle initially okayed a press release announcing the resignation, but had second thoughts over the weekend and decided that as a presidential appointee she could take her case to the White House. The White House turned a deaf ear, however, and issued a curt statement on Monday that Lavelle was "terminated today at the request of the President." Gorsuch fired several of Lavelle's top aides and put an armed guard in front of her office to prevent her from removing files. "I felt my resignation would be tantamount to admitting I had something to hide," says a still feisty Lavelle. "I certainly do not." For her part, Gorsuch said she was troubled by Lavelle's "reluctance to enforce" the program. "I don't view the business community as our major constituency. I view the American people as our major constituents," she said. "My policy has been, and will continue to be, to request a strong enforcement policy for the Superfund."

But Congress was not convinced. At week's end Dingell's subcommittee voted to widen the Superfund probe by issuing new subpoenas for testimony from Lavelle, Gorsuch and 35 other EPA employees, plus dozens of additional documents. Democratic Congressman James J. Howard of New Jersey, chairman of the House Public Works Committee, demanded an FBI investigation of a recently installed paper shredder outside Lavelle's office that the EPA said had been used to destroy "excess copies" of documents withheld from the House. The EPA told Scheuer that Lavelle's appointment calendars, which he had subpoenaed, had "disappeared" while the agency was preparing a memo explaining erasures in them.

Despite Gorsuch's efforts to foster a different impression, the controversy has only heightened suspicions that her goal, and that of the Reagan Administration, is to slash the agency's budget and staff so deeply that its regulations become flaccid. Environmentalists like to say that during her stewardship, the EPA has been transformed into the "industry protection agency." Morale among employees has sunk so low that the EPA is the most leak-prone bureaucracy in town. "It's not easy to run an agency when the whole work force is either under subpoena or at the Xerox machine," a chagrined Gorsuch told TIME. Known to some subordinates as the "Ice Queen" for her cool demeanor and hard-line approach, Gorsuch has a simple motto: "Do more with less."

The numbers are telling. The total on the payroll of the agency was nearly 14,075 when Reagan took office. For the current fiscal year, Gorsuch's budget has only 10,396. In the area of hazardous waste enforcement, figures show a personnel drop from 311 in 1981 to 75 in 1983, with the budget plummeting from $11.4 million to $2.3 million over the same period. Moreover, although Gorsuch often says she wants the financially strapped states to contribute more to cleanup efforts, her proposed 1984 budget slashes state grants by 26%, from $233 million to $172 million. In fiscal 1980, the last full year of President Carter's Administration, 200 civil cases against air and water polluters were referred by the EPA to the Justice Department. Last year 100 were referred. The number of both chemical-company and hazardous-waste-facility inspections has fallen sharply. Efforts to enforce the Safe Drinking Water Act have virtually ceased.

Republicans, already concerned that a foot-dragging EPA would present the Democrats with a potent political issue, found last week's developments distressing. Democratic Senator Patrick Leahy from Vermont was beating the drums. "We can enforce our environmental laws or ignore them," he railed. "Thus far, the Administration has done everything possible to ignore them." Scheuer said he plans to introduce legislation this week to restructure the EPA as an agency run by an independent commission, apart from the Executive Branch.

In her home town of Denver over the weekend, Gorsuch remained poised in the face of these new challenges. She reiterated her pledge to go to jail if necessary in resisting Congress's call for documents, though over the weekend intense negotiations were going on to end the confrontation. Stanley Brand, the lawyer representing the House in the dispute, warned that Gorsuch is on much shakier ground now. "We're not going to take some peekaboo deal," he said. How much more heat is the Ice Queen prepared to take? Said she, with a sweet smile: "Lots of it. I don't melt at the first macho scream, and I'm not melting now." —*By Maureen Dowd. Reported by Jay Branegan/Washington*

Searching for the Recovery

With the recession easing, so are tensions over a jobs bill

Like the first fragile buds of spring, tentative auguries of economic revival appear to be breaking through the depressed national economy. The indicators are maddeningly mixed, and business leaders are wary of overreacting until they see whether a consistent pattern emerges. But for the first time since the recession began in mid-1981, higher levels of production and of new orders were reported in January, according to the monthly survey of 250 industrial companies by the National Association of Purchasing Management. There was also good news from the National Federation of Independent Business: it said that the hiring plans of small firms are at a three-year peak. As Charles Lee, an economist at Chicago's Northern Trust bank, cautiously notes: "The beginning signs of a turnaround are quite favorable."

The unemployment picture is still bleak, however, and congressional leaders of both parties remain eager to pass an emergency jobs and relief bill. After two weeks of secret talks, the White House last week worked out a tentative agreement with House Democrats on a short-term plan to speed up public works projects and provide aid to those hardest hit by the recession. There will, no doubt, still be bitter battles ahead over more ambitious proposals for long-term jobs programs and the budget. But the compromise was an important symbolic sign of bipartisan cooperation.

Demand for durable consumer goods, such as furniture and appliances, is one of the most evident early indicators of a possible economic recovery. "We are seeing it," confirms Frederick Starr, president of Thomasville Furniture Industries in North Carolina, whose new orders in January were 35% higher than a year ago. "If this keeps up for another four or five weeks, we'll look at changing our production plans." But like most businessmen, Starr wants to watch and wait a while longer: "This thing may not last. Everyone's concerned about the strength of the recovery."

The renewed demand for big-ticket items has bolstered many retailers. Consumer installment credit has expanded considerably since the beginning of November. Sears, Roebuck reported a surge of major purchases in the final quarter of last year that has continued through January. "It is clear to us that the recovery in durables and home furnishings has started," says Edward Brennan, chairman of the chain.

With average mortgage rates at just under 14%, the lowest level in 27 months, there has been a revival of home sales and construction. "Everybody's encouraged because sales are increasing and the phones are ringing," says Ray Baxter, president of the Houston Board of Realtors; home sales there increased 24% last month over December.

High-technology companies, some of which avoided the worst of the recession, are also pacing the nascent recovery. National Semiconductor, a giant California firm that has been a voice of pessimism during the past year, in recent weeks has rehired one-fourth of the 600 workers it laid off at a Salt Lake City factory and is running large want-ads in San Jose, Calif. "From talking to customers, there is more enthusiasm," says Company Spokesman Michael Ayers. "We think things are picking up, and 1984 will be a gangbuster year."

Even some of the nation's deeply de-

pressed basic industries were showing signs of life, although very faint ones since their problems stem as much from foreign competition as from lack of demand. U.S. Steel has rehired 2% of its labor force, but that still leaves only 42% of its workers on the job. "There have been a couple of blips, but we don't see signs as yet that this is a basic recovery," says Spokesman Andy Stursky. In Detroit, auto executives predict that 1983 sales will be 10% higher than those of 1982, which was the worst year since 1961. "Ten percent better than terrible is still terrible," says General Motors Chairman Roger Smith

Both parties fully realize that the prolonged economic hardship has been, and still is, the nation's most important political issue. It cost the G.O.P. the 1982 midterm elections, and threatens to make Reagan a one-term President. Yet the White House has been relatively adroit lately in reducing the Democrats' ability to exploit the issue. The bipartisan compromise on Social Security blunted one Democratic attack. Last week House Speaker Tip O'Neill conceded, in a public statement, that Reagan had "kept his promise" to move promptly on a jobs measure. Thus, despite serious reverses and anemic poll standings, Reagan remains a very active player in the grand political game.

Reagan's compromise with O'Neill arose out of a confrontation during a short ceremony in the Oval Office two weeks ago, when the Speaker challenged the President's criticism of "make-work" measures. O'Neill made an emotional pitch for aiding jobless workers with useful public works programs. As the discussion grew heated, Budget Director David Stockman interjected that the two leaders were not all that far apart.

After the session, Reagan's aides urged him to authorize discussions with O'Neill on such proposals. Later that day Reagan cornered the Democratic leader at a meeting with Congressmen in the White House family theater to promise that Stockman would work on a package. Reagan later characterized the huddle as "just two Irishmen plotting."

The secret discussions bore fruit last Thursday in a meeting in the Speaker's office that included O'Neill, Stockman, Democratic Whip Thomas Foley, Majority Leader Jim Wright of Texas and Presidential Aides James Baker, Richard Darman and Kenneth Duberstein. The $4.3 billion package, which will create only 125,000 new jobs, contains less than first meets the eye. It is mainly the acceleration of scheduled projects, and thus involves only about $700 million in new spending. But from a symbolic standpoint, it allows the Democrats to claim a victory for the jobless while allowing Reagan to meet the charge that he is insensitive to economic hardship and the issue of the fairness of his economic policies.

The Democrats made it clear that the agreement did not prevent them from pushing for further antirecession legislation or opposing the President's budget and tax plans. "This is a first step, which does not bind anybody," said Foley. For that matter, Republicans too were pushing ahead with plans for further unemployment relief. "Even with a resurgent economy, we're going to have persistent unemployment," says Congressman John Erlenborn of Illinois, who has been appointed by the G.O.P. House leadership to come up with a broad jobs package.

Just two Irishmen plotting: Reagan and O'Neill discuss the budget in the Oval Office

In putting together their program for reducing the enormous budget deficits that Reagan has projected, House Democrats have generally agreed that the third-year installment of Reagan's 1981 income tax cut, a 10% reduction due to go into effect in July, should be repealed, or at least limited to $700 per taxpayer. But of the eight top House Democratic leaders, one of the most powerful considered it unwise to fight the third-year cut: Ways and Means Chairman Dan Rostenkowski of Illinois. In a speech on Tuesday, he made his disagreement public. He proposed a "freeze on scheduled tax reductions effective Dec. 31, 1983," a move that would leave the July cut intact. To O'Neill, it appeared that Rostenkowski was pre-empting the Speaker's role as leadership spokesman. He called a meeting the next day and tore into his once loyal lieutenant. "You made me look like a fool, Dan!" O'Neill thundered.

Democrat Rostenkowski differs on taxes

A freeze plan that burned the Speaker.

Reagan's political strategy will succeed only if the public sees tangible evidence that his on-the-mend optimism is warranted. But even if the economy rebounds strongly, the country will still face staggering deficits. Indeed, a sudden and too robust economic revival could strangle itself by pushing interest rates back up as the Government and industries compete for loans. This concern was echoed last week in an unusually forceful report by the Congressional Budget Office. "The American economy faces unprecedented risks in the years ahead," said the report, "unless the Federal Government takes measures to narrow the gap between tax revenues and spending."

The President has already enjoyed great success in the crucial fight against inflation. Wholesale prices fell in January by a full percentage point, the largest drop in the 36 years that the statistic has been compiled. In order to make comparable strides against future deficits, he will have to cut spending, notably for defense, and raise revenues. His plan for a standby tax increase, which he wanted Congress to pass this year for possible implementation in fiscal 1986, was criticized by leaders of both parties. If Reagan fails to forge an agreement over taxes by midsummer, the chance of a bipartisan approach will evaporate in the frenzy of the approaching 1984 campaign, when both cutting spending and raising taxes become political shibboleths. And with it could vanish hopes that the buds beginning to sprout around the country will bloom into a sustained recovery. —*By Walter Isaacson. Reported by Laurence I. Barrett and Neil MacNeil/Washington*

MX D-Day Delay

Anyone for an Armadillo?

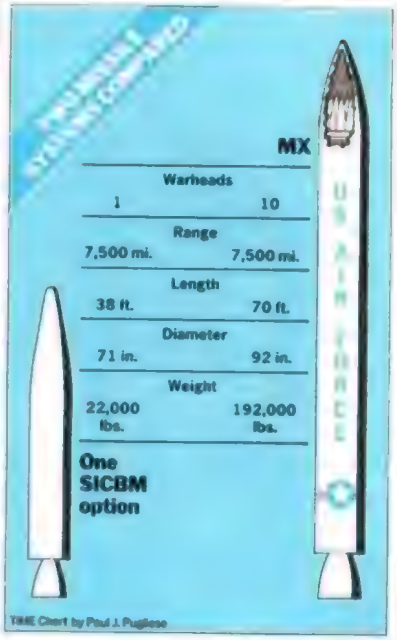
When the President's Commission on Strategic Forces met for the first time on Jan. 7, even Brent Scowcroft, its energetic chairman, doubted that it could achieve by its Feb. 18 deadline what the Pentagon, the Ford, Carter and Reagan Administrations and Congress had been unable to do in seven years: find a technically practical and politically acceptable home for the MX missile, the intercontinental bird that only its parent Air Force seems truly to love. Last week, in a chat with President Reagan, members of the commission won an extension of the deadline to the end of March.

The new date was sought mainly because the ten commission members have been unable to reach a consensus in such a short time. But a delay in reporting may also be a tactical advantage. At the moment, the President's defense budget is under heavy fire on Capitol Hill. If the MX became the first military spending showdown, it might fall victim to congressional budget-cutting zeal.

Commission spokesmen insist that the group is still considering "the whole range" of options, and Scowcroft readily concedes that all of them "have warts." Nonetheless, possibly in an attempt to influence the commission, some members of Congress have floated reports that the group is leaning toward a two-phase deployment plan. In the first phase, an unspecified number of the MX missiles would be placed in existing Minuteman silos after the holes are reinforced to withstand a higher level of enemy warhead blasts. The Senate last year rejected a Reagan proposal to do just that with MX on the grounds that if the Minuteman is as vulnerable to attack as the Administration contends, putting MX in the same holes would do nothing to close this "window of vulnerability."

The second phase reportedly would involve deploying thousands of smaller missiles, either in much deeper holes or on special mobile launchers. The mobile option would provide the deception that the MX lacked, either in Minuteman silos or in the rejected Dense Pack proposal to cluster 100 missiles at a single site. While a small mobile missile has long been considered by the Pentagon, no significant funds have been spent in developing it. Its deployment, experts estimate, could not begin for at least seven years.

A study by Boeing Aerospace Co. suggests the feasibility of producing a 38-ft. intercontinental ballistic missile (SICBM) that would have a range comparable to the 7,500 miles covered by the 71-ft. MX. Its single warhead would probably carry a 500-kiloton punch, in contrast to MX's ten warheads, each with a 330-kiloton, independently targeted payload. Some Pentagon experts contend that a design



breakthrough will permit the small missile to be moved about on a heavily armored vehicle dubbed the Armadillo. This launcher would be anchored when firing and be stable enough to handle the missile's blast-off force, yet light enough to be transported by helicopters.

The two-stage proposal does indeed have warts of its own. In the years before the small missile was ready, U.S. land-based missile forces would remain theoretically vulnerable. Some Congressmen might be tempted to abandon the MX deployment, saving billions, and just wait for the mobile missile. Even the midget, however, would have to be deployed in such large numbers that it would violate the limits set out in SALT II (which is unratified by the U.S. but which both superpowers claim to be observing) and Reagan's own proposed limits at the Strategic Arms Reductions Talks in Geneva. Thus any such plan would severely complicate the already difficult arms-control negotiations, creating yet another possible political objection in Congress. ■

Human Wrongs

Grading the behavior of others

Almost eight years after imposing its fierce brand of Communist rule over all of Viet Nam, Hanoi has a new claim to notoriety. "It seemed to me the worst country to live in," commented Elliott Abrams, the Assistant Secretary for Human Rights and Humanitarian Affairs, as he unveiled the State Department's annual human rights survey last week.

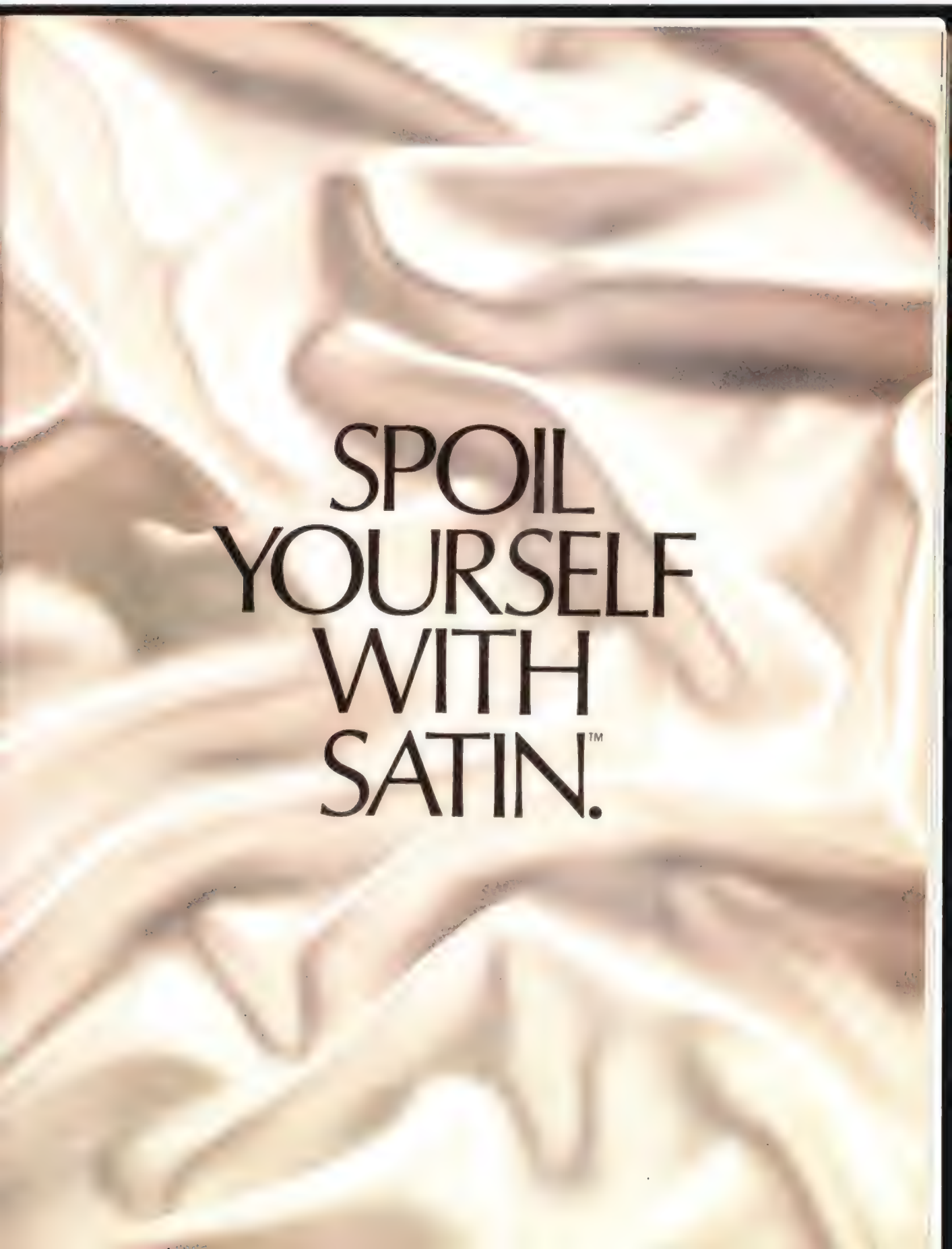
The report paints a grim portrait of Viet Nam. More than 60,000 political prisoners, it says, remained detained in "re-education camps" without ever having been brought to trial. Citizens cannot travel, or even change residences, without permission. The press practices rigid self-censorship. There is no freedom of assembly. The forecast for future political rights in Viet Nam? Concludes the report: "Bleak."

The 1,323-page survey evaluates the human rights practices of 162 governments, almost all of them members of the U.N. It is mandated by a 1976 amendment to the Foreign Assistance Act that Congress passed, over the opposition of the Ford Administration, requiring the Executive Branch to produce an annual evaluation to help Congress make decisions on foreign aid. The report is more tolerant toward the behavior of U.S. friends than that of antagonists. "With friendly countries, we prefer to use diplomacy, not public pronouncements," it says. Not surprisingly, the survey's main villains are the Soviet Union ("The status of human rights . . . continues to fall far short of accepted international standards"), Cuba ("Freedoms of speech and press do not exist") and Nicaragua ("The human rights situation deteriorated markedly in 1982"). But other regimes that have been accused of serious human rights violations by watchdog organizations like Amnesty International get off lightly: El Salvador ("signs of improvement throughout the year"), Argentina ("significant expansion of civil and political liberties") and Turkey ("Politically motivated killings . . . have now virtually stopped").

Scholars and human rights organizations greeted the report with varying degrees of skepticism or approval. In a joint statement with Helsinki Watch and Americas Watch, two human rights groups, Michael Posner, executive director of the Lawyers Committee for International Human Rights, accused the Administration of "disturbing biases" toward countries in which it "has a strong political stake." Hue-Tam Tai, a Vietnamese professor of history at Harvard University, questioned the conclusion that Hanoi was last year's most egregious human rights violator. "There are other countries, including China, Iran and some U.S. allies in South America, that I would consider very likely worse," she said.

UPI
Elliott Abrams

According to Huynh Sanh Thong, director of the Southeast Asian Refugee Project at Yale University, the State Department's estimate of 60,000 political prisoners in Viet Nam may be too conservative. He argues that human rights surveys like the State Department's serve a useful purpose. "Hanoi drags its feet [about releasing political prisoners]," says Thong, who emigrated to the U.S. from Viet Nam in 1964. "American public opinion is not unanimous against the regime. Hanoi needs the pressure." ■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While "victims" moaned at an earthquake simulation, Sacramento rehearsed fiscal calamity

Special, and Shaky, Effects

California's politicians cope with the $1.5 billion deficit

Californians might have had some trouble last week judging which of two rehearsals for catastrophe represented the more realistic bit of make-believe. The show staged by the Los Angeles fire department to simulate a downtown earthquake boasted the more vivid special effects: smoke from exploding cars billowing over a storefront set; moans from people "dying" in the street. The production put on by the politicians in Sacramento was more muted, but it concerned a calamity, state bankruptcy, that was more certifiably imminent—even as soon as next week.

Unless Republican Governor George Deukmejian and the Democratic-controlled legislature can agree on some emergency plan, next Wednesday the state's general fund will run out of money to pay its bills. If this happens, Deukmejian warned on TV last week, the state would have to issue "registered warrants, or IOUs." They would look like regular state checks but carry a printed warning on the back that there are no existing funds at the moment to redeem them.

At worst, the IOUs would go to 86,000 state employees in lieu of salary, to companies that do business with the state and to an estimated 8 million citizens who are owed refunds on state income taxes. From time to time the state would advertise that it now had collected enough tax money to pay, say, IOUs numbered from 12-345678 to 12-49376, plus 5% annual interest.

Few Californians believe it will come to that. Indeed, late last week closed-door negotiations between Deukmejian and Democrats in the state senate who have been blocking his budget plans produced a tentative budget-balancing agreement that would allow the state to borrow emergency cash from banks. Even so, the state controller's office feared that it might already be too late to keep California from delaying some payments or issuing some temporary registered warrants. The betting in Sacramento, however, is that at most a few big contractors will be asked to take IOUs, while state salaries and tax refunds will be paid in cash.

Even if the short-term cash-crunch problem is solved, Deukmejian critics insist that the Governor's overall plan for escaping the crisis also contains a strong element of make-believe. The state faces a deficit of $1.5 billion in the fiscal year that ends June 30, partly because state tax collections have been held down by the recession, partly because spending has been kept high by the need to bail out local governments whose ability to levy property taxes was sharply curtailed by the passage of Proposition 13 in 1978. While Democrats have said that they would go along with a tax boost if the Governor recommended one, Deukmejian has been holding to a campaign pledge not to raise state taxes.

Instead, the Governor proposes to make the deficit disappear partly by cutting spending but also by "rolling over" $800 million into the 1983-84 budget. The general fund would borrow that amount from special funds that do have cash on hand, such as the ones that finance highways and schools, and replenish those accounts with the higher tax collections that Deukmejian expects economic recovery to bring next budget year. Senate Democrats have been blocking this plan out of fear that Deukmejian will actually get the money by slashing social spending, but they may have to accept some variation to keep from issuing IOUs.

Meanwhile, both sides are trying to make political capital out of the brush with insolvency. Deukmejian last week told Californians to blame Democrats in the senate if the state has to pay its bills with IOUs. On the Democrats' side, State Senator Alfred Alquist has introduced a bill requiring that any IOUs issued be illustrated with a photograph of Deukmejian. ■

Out of Gas

ITA's Parkhurst packs it in

When Michael Parkhurst, president of the 30,000-member Independent Truckers Association (ITA), announced a truckers strike two weeks ago, his goals were ambitious: repeal of new federal taxes on diesel fuel and highway use, a curb on state trucking taxes and regulations, and a "meaningful discussion" of the 55-m.p.h. speed limit. What he got eleven days later was a page-long "Expression of Concern" signed by some 35 Congressmen that promised little more than a review of the federal tax hikes called for in the Surface Transportation Assistance Act of 1982, enacted by last year's lameduck Congress. Nonetheless, when he asked truckers to return to work last week, Parkhurst appeared unbowed. "We have accomplished a lot, more than we have ever been able to in the past," he declared at a raucous news conference punctuated by shouts of "Sellout!" from heckling truckers.

In reality, the strike had fizzled out. Despite spot shortages of produce in several areas, the protest did not markedly disrupt commerce. "I don't think anyone missed a loaf of bread, an orange or an apple," said Ed Bacon, president of Louisiana's Motor Transportation Association. Concluded Massachusetts Produce Wholesaler Chris Rodes: "It was a very minor inconvenience." The violence and vandalism that in the end left one person dead and at least 66 others injured dropped sharply last week, and truck traffic levels crept back to normal in most states. By week's end police had arrested 95 people in connection with the incidents, some of them truckers or related to the trucking industry.

Many operators and their representatives were glad it was over. Said Paul Stalknecht, managing director of the New Jersey Motor Truck Association: "The only plus is that immediate attention has been drawn to the industry's problems. But that is a very minor plus. The image of the industry has been damaged because of the irresponsible actions of a very small body." Indeed, the protest may have set back the lobbying efforts of the International Brotherhood of Teamsters, the American Trucking Associations and other trucking organizations that opposed the strike. "This shutdown has only given truckers a black eye with the public," fumed Robert Jasmon, executive vice president of the Midwest Truckers Association, another independent group. "The real representatives of our industry must talk sense to Congress and get passed the kind of relief we need." ■

Parkhurst

Chicago: Still Not Byrned Up?

The mayor rides a softer image into a strong lead

Chicago's modern political history reads like a florid novel, chockablock with shameless rascals and small-time chiselers, ethnic vendettas, loose talk, brazen vote fraud and suspicious sums of cash. The protagonist of Volume I, of course, was Mayor Richard J. Daley, the city's flinty czar for 21 years until his death in 1976. The plot of the sequel, still unfolding, is no less vivid.

In next week's Democratic mayoral primary, Incumbent Jane Byrne, for years a Daley protégée, is opposed in her campaign for a second term by her patron's eldest son, State's Attorney Richard M. Daley, and by black U.S. Representative Harold Washington, a spunky orator. The winner of the primary will be a shoo-in for the general election seven weeks later; Chicago, its 50-member city council entirely Democratic, last elected a Republican mayor in 1927.

Mayor Byrne, 48, is the heavy favorite, even though as recently as last fall she seemed to be in real jeopardy. But a Gallup poll released late last month found Byrne to be the first choice of 45% of registered voters, with 23% preferring Washington and 22% for Daley. The campaign expenditures are even more lopsided. Byrne has raised $9.7 million since her surprising, underfinanced election in 1979, while Daley has got contributions and loans of $1.8 million, and Washington just $377,000. Taken together, the campaign will probably be the most expensive mayoral election in U.S. history.

Antagonists Richard M. Daley, Jane Byrne and Harold Washington

Much of Byrne's huge budget has gone into TV advertising. Her slick commercials have run as often as 15 times daily since November, the most effective contending that the mayor singlehanded righted Chicago's wild fiscal course. (The commercials pass over the resulting $407 million in tax increases over the past four years.) Other ads project a new, less shrill image, helped by Byrne's gradual superficial transformation: her hair style and clothing have become more muted, and she has remained uncharacteristically placid in the face of bitter campaign attacks.

Congressman Washington, 60, who spent a month in jail in 1972 for failing to pay $508.05 in income taxes, has only an outsider's chance. Yet in a city 40% black, he might win if he picks up a solid majority of the 650,000 registered black voters and a liberal tenth of the whites. His likely effect, however, will be to hurt Daley's chances of exploiting black antagonism to Byrne. As Cook County's chief prosecutor since 1980, when he beat a Byrne-backed candidate, Daley, 40, has impressed the legal community as being industrious and levelheaded. He has cast doubt on Byrne's putative fiscal remedies, pointing out that she vastly overstates her inherited budget deficit and in effect has been borrowing from municipal pension funds to help balance the books. He is, however, an awkward campaigner, and political analysts wonder how much Daley's dynastic surname will help: the electorate remains ambivalent about the corrupt but efficiently run era of Daley the elder. Still, the young Daley carries his father's battered old briefcase to work with him every day, as if dressing for the part. ■

Snarled in Corruption Traffic

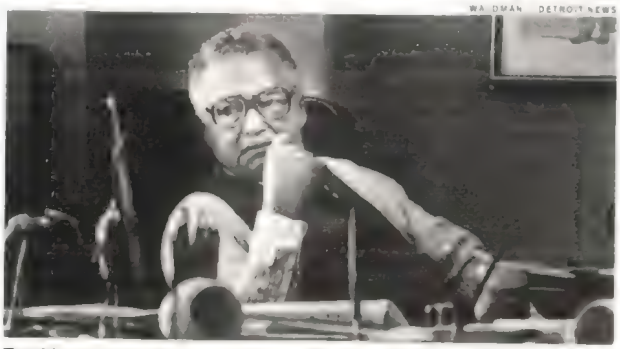
In Detroit, Mayor Young's administration gets hit by probes

There may be slight stirrings of rising sales in the auto industry, but almost everything else about Detroit is gloomy these days. Among other problems, a corruption scandal involving at least six federal investigations is plaguing Mayor Coleman Young's administration. The three-term black mayor has not been personally implicated, but he and other city officials have been preoccupied with fending off the various probes.

In one case, a black city official has been indicted: Charles Beckham, 35, director of water and sewerage. A federal grand jury charged that Beckham, three businessmen and Darralyn Bowers, 40, a real estate agent and unofficial adviser to Young, conspired in a racketeering and bribery scheme to secure for Vista Disposal Co. a $5.6 million sludge-hauling contract from the city. According to the indictment, Bowers, who is black, and the businessmen, who are white, promised to pay Director Beckham $2,000 a month to land the lucrative contract. All pleaded not guilty to the charges last week.

Young was subpoenaed by the grand jury in the Vista case but refused to testify on grounds of possible self-incrimination. Federal agents had bugged his condominium in the city and reportedly collected hours of conversations, some of them between the defendants. Defense lawyers contend that the surveillance was illegal.

Another federal investigation is seeking to ascertain whether the Magnum Oil Co. had overcharged the city for fuel and had received from the city a $1 million loan with highly favorable terms. Young had supported the contracts to both Vista and Magnum, sometimes over the objections of the city council. Magnum is a black enterprise, and Vista posed as one in order to be eligible for preferential treatment by the city. Other less serious investigations involve the funding of several housing projects and a mall development and operations of the city zoo.



Troubles grow for the motor city and its three-term top official

Although not implicated, he is diverted by multiple investigations.

Defenders of the mayor contend that Young's judgment may have been blinded by his unwavering commitment to helping black businesses and argue that he did not know that white businessmen actually would profit from these contracts. Even so, the probes have clearly diverted Young's attention from his job. Says Joe Stroud, editor of the Detroit *Free Press*: "It is a terrible time for the city to be dealing with leadership that is distracted and in real trouble." ■

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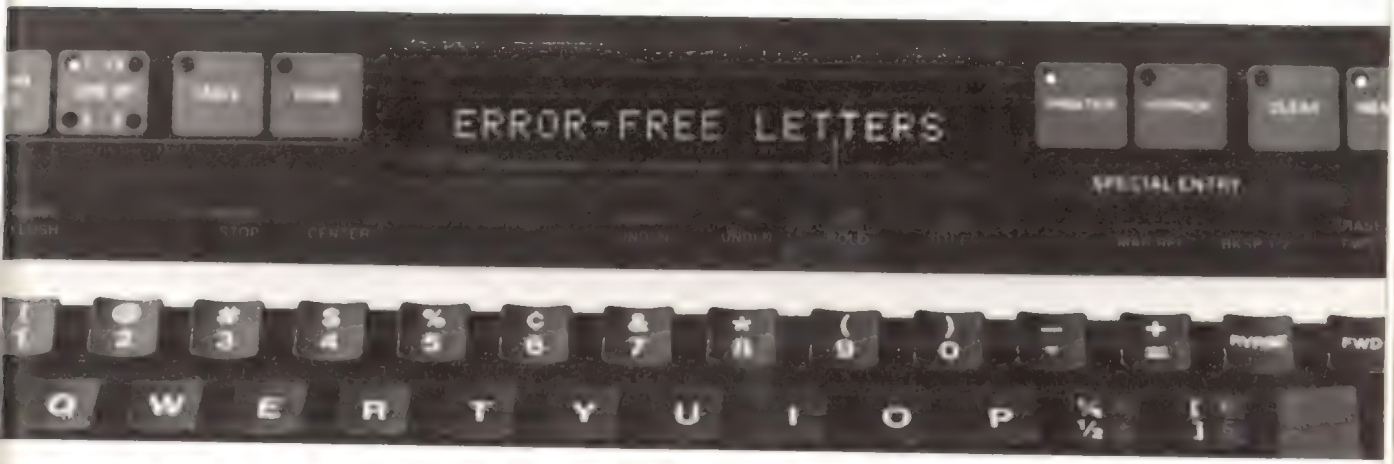

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Most Eligible

He won 105 hands, loses trial

Beefy, none too tall and often clad in blue jeans and tennis shoes, Flea Market Merchant Giovanni Vigliotto seemed an unlikely Casanova. Yet in a Phoenix courtroom, Vigliotto submitted a list of 105 women from 18 states and nine foreign countries he claims to have wooed and wed over the past 20 years, some of them more than once and all without benefit of intervening divorces. A jury of eight men and four women, impressed with his stamina but not his style, last week convicted Vigliotto on charges of bigamy and fraud in his marriage to Patricia Ann Gardiner, 42, a Mesa, Ariz., real estate agent.

Gardiner testified that she married Vigliotto in November 1981, eight days after meeting him at a local swap meet. She said he told her that he had $49 million in savings and owned the *Queen Mary* ocean liner docked in Long Beach, Calif. "He looked right into my face and eyes," she recalled. "I liked that honest trait." He promptly persuaded his bride to sell her house, and they set off for the California coast in separate cars, with Vigliotto driving a van loaded with $36,000 worth of her cash and valuables. By the time she reached a San Diego hotel, she was alone except for her pet poodle.

A larcenous Lothario: Vigliotto in court

He told women "what they needed to hear."

Joan Bacarella of Englishtown, N.J., testified that Vigliotto proposed a day after they met in February 1981, urging her to divorce her estranged husband. She said that she realized her "prince had turned into a frog" when he borrowed $1,600 in cash and $40,000 worth of inventory from her clothing shop and then failed to return to a motel where she was waiting with her mother and three children. Another of Vigliotto's wives, Sharon Clark of Angola, Ind., told the jury that she was abandoned barefoot and $49,000 poorer in an Ontario motel three weeks after their June 1981 wedding. But Clark tracked her larcenous Lothario for three months and 10,000 miles to a Florida shopping center, where she turned him in to the local sheriff. He was extradited to Arizona on charges filed by Gardiner.

Vigliotto, who is in his early 50s, faces up to 34 years in prison. Although he conceded making the multiple marriages (and adopting some 50 aliases), he denied defrauding any of his wives. He claimed he worked as a contract agent for the Central Intelligence Agency in 1953 and 1954 before getting into the flea market business. During the five-week trial, boisterous crowds, often outfitted with bags of food and drinks in ice chests, waited in line for a seat in the small courtroom and a chance to hear the latest installment of Vigliotto's romantic adventures. After the verdict, Gardiner said of the women who succumbed: "I don't think they fell for him. They found someone who told them what they needed and wanted to hear at that time in their lives." ■

Dial-a-Probe

An FBI hot line for corruption

When residents of Tampa, Fla.'s Hillsborough County dial 229-9241, they hear a most unusual reply: "Corruption hot line." It is not a wrong number, nor is the businesslike voice on the receiving end peddling tips on how much the local health inspector will take to overlook the roaches in a restaurant. The phone is manned by an alert agent of the FBI, who listens with poised pencil to any caller's allegation that local officials are crooks.

The agent does not sit around much hoping the phone will ring. The trouble with Hillsborough County is that all too many of its officials may indeed be crooks. The hot line was set up by the FBI after three of the five county commissioners were charged with conspiring to extort money from citizens seeking approval of a zoning application. After the arrests were announced, so many residents called the FBI's regular number to report that they knew of other bribes and corruption that the FBI decided to man a special telephone 24 hours a day.

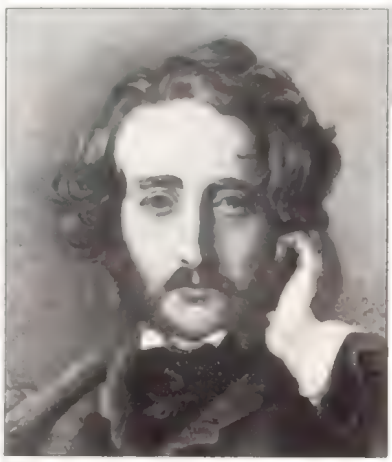
In its first full week of operation the FBI hot line received reports from more than 140 citizens, many of them anonymous. "We're getting them from all walks of life," said Special Agent Dick Ross, "professional people, people who are in local government and people who think they just might have heard something that will help us." Partly because the tips have proved promising, a special federal grand jury will convene in March to consider more indictments. The grand jury will look into wrongdoing not only in Hillsborough County but all along Florida's west coast from Fort Myers to the Alabama border. ■

Open and Closed

Dark and stormy starts

"*Call me Ishmael*"? No, far too good. "*It was the best of times, it was the worst of times . . .*"? A beauty, a classic—but all wrong for the Second Annual Bulwer-Lytton Fiction Contest, which asks contestants to try their hand at composing truly atrocious opening sentences to hypothetical bad novels. Says San Jose State University English Professor Scott Rice: "We want the kind of writing that makes the reader say, 'Don't go on.' "

Founded by Rice, who has enlisted the assistance of fellow professors to judge the entries (some 700 so far), the contest was named in dishonor of poor Edward G.E.L. Bulwer-Lytton. A popular and workmanlike 19th century British novelist, Bulwer-Lytton wrote a book, *Paul Clifford*, that unfortunately began, "It was a dark and stormy night . . ." Among the exquisitely bad sentences sent to the California (zip code: 95192) judges: "Screaming like a banshee, bargaining like a waterfront drug dealer, bleeding like a side of beef in an abattoir, the Chinese sailor croaked out one word: 'Firelight' (a code word? or a dying man's resurrection of a beloved childhood memory?) and fell to the ground, sprawled out like an epileptic lobster, clutching in his fist loosened by the merciful kiss of death fire of another sort: a 20-carat, flawless blue diamond."

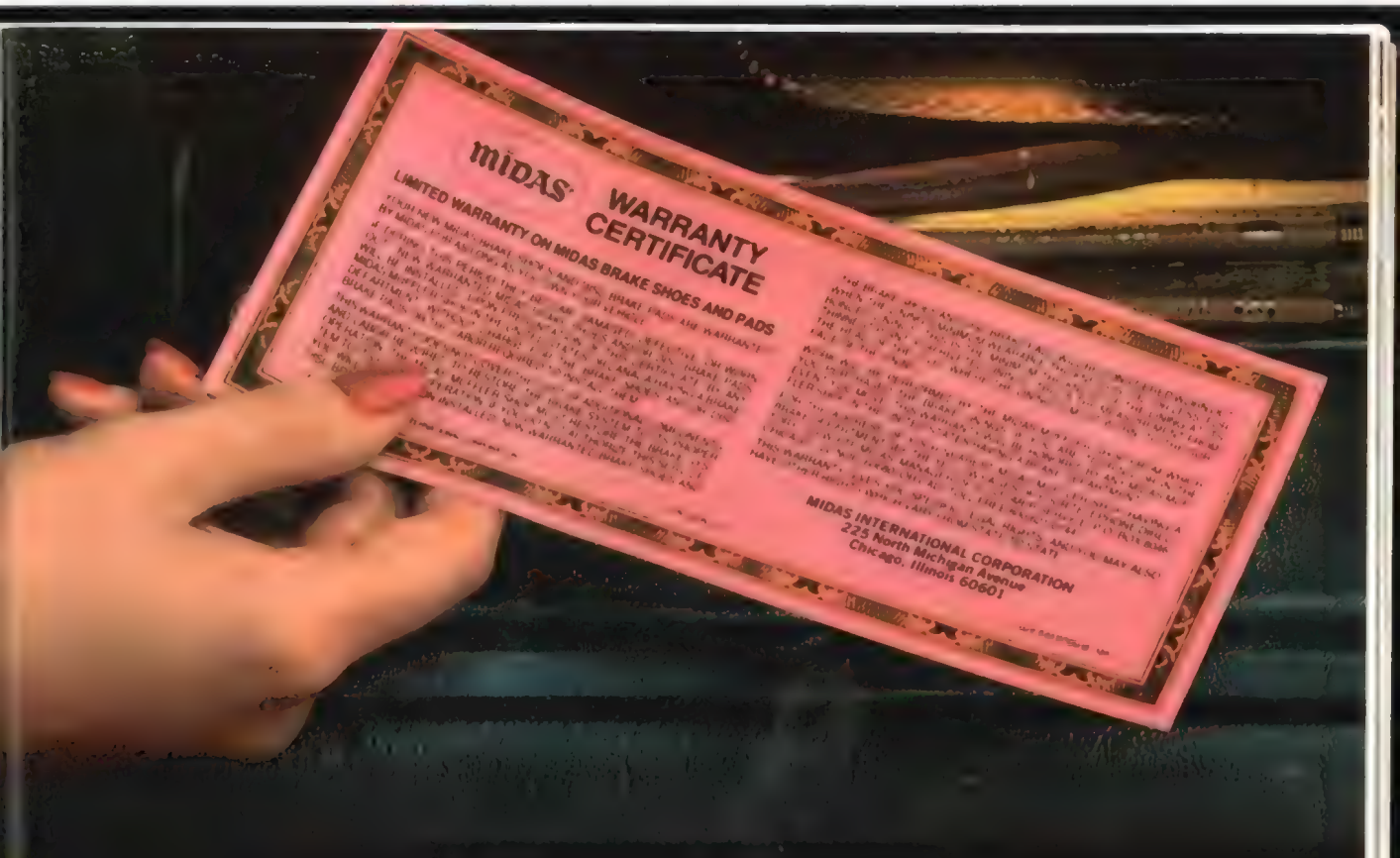


Dishonored: Edward Bulwer-Lytton, novelist

"Writing that says, 'Don't go on.' "

Another, more succinct contender: "He had hewn his house and land from twelve acres of Alaska wilderness. Biff Hanratty had, and he knew one thing—he would never share them with a woman."

The contest, Rice says, is a perverse but true test of talent: "You have to know what is good before you can write something truly awful." Why would anyone vie for the Bulwer-Lytton prize? Jokes Rice: "They want the chance to become a household name." Contest deadline: April 15. ■



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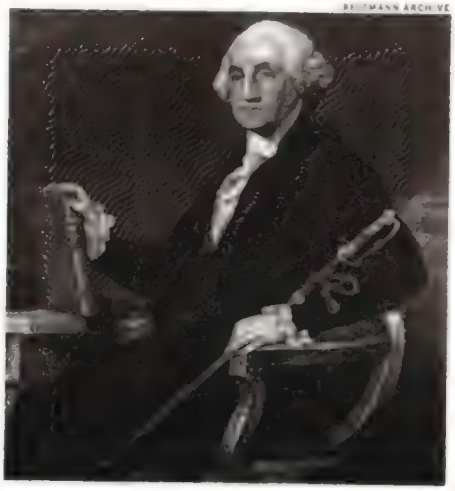
The Presidency/Hugh Sidey

Above All, the Man Had Character

Each year George Washington gains more luster in our reveries on how we got where we are. Our sophisticated scholarship and painstaking restoration, which so often dismantle heroes, have revealed the human dimensions of the father of the country but have failed to dim the aura of greatness that clings to Washington, whose 251st birthday we mark next week.

His contemporaries felt the same awe and wonder. In Washington's last years, Mount Vernon became a mecca for the great and the grateful, for the curious and the ambitious. So many people arrived at the doorstep that Washington, who would turn none away, finally engaged a social secretary to handle the flow. Sometimes he did not attend the dinners he gave because the company was so numerous and foreign to him. One night when he dined alone with Mrs. Washington, the event was so unusual he made a note of it in his diary.

The legend of the man is safely sheltered these days behind high fences of respect. Were the real Washington on hand today, that might not be the case, and therein may lie a lesson. We have in this nation erected standards for our public people that dim anyone's glow if he or she falls short of perfection. It is reasonable, then, to wonder if people can enter public life and make a difference as they did in the first years of the Republic. Even as our expectations have grown, our respect for and sympathy with Presidents have diminished.



By our modern measures, George Washington did not read the right books. He relished how-to-do-it texts, with their new ideas on the use of manure, turning soil and animal husbandry. But he did not delve very far into art, philosophy or science. When John Kennedy was coaxed into supplying a list of his ten favorite books, the collection was heavy with history, biography and geopolitics, the kind of reading that he knew critical journalists would admire. Twenty years ago, we took Presidents at their word. The suspicion now is that the list was a bit fraudulent.

Washington knew no foreign languages (Thomas Jefferson spoke or read five). Washington never traveled to Europe, while Benjamin Franklin, John Adams and Jefferson all spent years there. He was not an accomplished public speaker. His military achievements were judged for their perseverance rather than their brilliance. Yet the battle of Trenton might have been as important a battle as this nation ever won. The Trenton victory brought the Revolution back to life. The colonies dared hope again for independence. France began to look with more favor on the American struggle, and Britain began to lose heart. But the battle was technically a shambles.

Three columns were to have crossed the Delaware River. Only Washington made it across. The powder of his troops was soaked by a freezing rain, so they could not fire their arms. They had to depend on bayonets several times during the night. Washington's officers pleaded with him to call off the attack. The story goes that he stood on an old beehive in a muddy New Jersey field and turned aside every entreaty. The battle of Trenton was won by the determination of one man, but certainly not by his military expertise. Would he have done what he did on that miserable night if the failing campaign had been on the evening news with closeup shots of the ragged men?

Washington sometimes looked on his 22 years of public service as a kind of prison sentence that took him away from his land. Washington was not one of the boys. The thought of him in blue jeans around the graceful drives of Mount Vernon is, thank goodness, still shattering. Once, when Gouverneur Morris, a friend and supporter, put his hand on Washington's shoulder to show doubters how close he was to the chief, Washington coldly took Morris' hand and removed it. Nobody in Washington's inner circle tried that again. Sometimes, the stories go, when Washington was with his old Army friends and had a few glasses of wine, he became what they called "merry," and he would talk and reminisce into the night. But that was rather rare, according to the scholars. With this kind of record, one wonders how George Washington might have fared in the Style section of the Washington *Post* under the arch questioning of Sally Quinn: "Mr. President, do you and Mrs. Washington have separate bedrooms?"

George Washington accumulated nearly 100,000 acres of land in his last years and was judged one of the wealthiest men in the nation. He would have been suspected of conflict of interest at every turn. Investigative reporters would have been in clover—literally, perhaps, because Washington might have cornered the clover-seed market and been nabbed for restraint of trade.

Washington was meticulous about dress, selecting with care his shoes and their buckles, the cloth for his suits and shirts. In our time we are a little uneasy with Presidents who pay too much attention (or too little) to their dress. That may be changing. Grubbiness has proved less of a political asset than some thought a few years back. Still, any hint of vanity is deplored. John Kennedy became angry when the fashion magazine *Gentlemen's Quarterly* put him on its cover and announced that he had posed for the magazine in his new two-button suit. Kennedy told an astonished group around his desk that he would now be remembered as the President who posed in his new suit, just as Calvin Coolidge was most renowned for having been pictured in an Indian war bonnet.

Mount Vernon was almost totally George Washington's creation, another dimension of the man that would have been of dubious value in this age. Correspondents would have reported during the war that after a battle (with the fortunes of America ebbing, soldiers hungry and sick) the Commander in Chief sometimes penned many pages of instructions to his plantation manager, telling him what to build and plant and harvest. Neglect of duty? Washington designed his home, laid out the drives, selected the colors (green was his favorite), chose the trees, plants and flowers. The only decorating that Martha did was to choose some curtains. Surely today's social analysts would have been delighted at such domestic concern by Washington, but just as surely there would have been criticism of such dominance by the general of his wife

Washington's favorite recreation was fox hunting. Consider that now: a President pounding over the hills on horseback, his hounds in full cry after a scraggly fox. Environmentalists would have jumped out at him from behind every hedge, waving placards. A "save the foxes" society would have been organized. Columnist Ellen Goodman would have rushed to detail the plight of the ill-fed, ill-housed, ill-treated foxes of Fairfax County. Newsmagazines might have noted that photographs of Washington

mounting his horse revealed he had wide hips. The temptation would have been too much: "President Washington, displaying a broad beam and a narrow mind, last week chased a 10-lb. fox to an unseemly death in the lovely hills of Virginia."

Washington cannot be reconstituted and placed in our century, of course, nor would he want to be. His time and his land were not necessarily more simple, but they certainly were different. The nation had 4 million people and only six cities of more than 8,000 souls each. The Federal Government, when Washington ran it, had 350 civil employees. If numbers and complexity were not the adversaries, then distance, time, disease, weather, Indians and ignorance were. It took a week to get to New York City. Early death stalked almost everyone. Washington was remarkably durable for his time—and lucky. His horses and uniforms were riddled with bullets at Braddock's defeat in the French and Indian War. He was untouched. But even his luck ran out finally. He died at 67 of a throat inflammation. A young physician in attendance wanted to open the trachea but was overruled by his seniors, still fearful of the new technique. A sturdy figure like Washington might have been around many more years with only a little bit of today's medical knowledge.

Writers who journey through the accounts of his life almost always confess some bafflement about why he was such a great figure in his time and remains so in ours. British Historian Marcus Cunliffe points out that Washington was a good man but not a saint, a competent soldier but not great, thoughtful but not brilliant like Alexander Hamilton. He was a respectable administrator but certainly not a genius. All this and more his biographers have put down. Washington was a prudent conserver but not a brilliant reformer. He was sober unto dullness. He lacked the common touch so much that not even his British enemies had a derogatory nickname for him during the war. He could strip off his coat and help the field hands, but he had no very close friends. The Marquis de Lafayette, his French ally, was as close as anyone. To humanize Washington, suggests Cunliffe, would be to falsify him, though of course many have tried to do that in the past two centuries.

We would do well in this age of total and instant analysis to ponder why it is we honor George Washington as we do, why the legend goes on in the face of the reservations and doubts that scholars keep raising. It is true that simply being an American and being around for the start of the United States would have assured Washington some place in history. There was more.

The sum of his rather normal parts added up to an exceptional figure. George Washington had character. That is easily said but not easily defined. Writers have been trying to do it since time began, but character defies scientific analysis. Duke University's James David Barber based an entire book about Presidents on the analysis of character. It was fascinating. But Barber raised as many questions as he answered. Nobody is quite certain what character is, but everybody captures a piece of the truth. Here are a few thoughts from Washington's contemporaries and his later biographers about the qualities that lifted him above others.

One writer noted Washington's "cool dignity." Washington's aloofness and reserve made him stand out from other men, several authors insisted. Washington understood power, wrote one. Another claimed simply: "Washington had quality." From there the scholars get more subjective. Washington merged his honor with that of America, recounted a writer, not to mention his fortune and everything he planned and built. During the Revolution, a British raiding party sailed up the Potomac and at Mount Vernon received some provisions from the farm manager. When Washington heard about it (he was off leading the Army), he was disturbed. He wrote that his people should have let the raiders burn down the place before they aided the enemy. Biographers have written that "Washington proved the soundness of America" and that he "had a true American vision." By that they meant that he, almost alone among those great men, understood in totality the wealth and strength of the land that lay before him and how it formed and held a society together. "The man is the monument; the monument is America," wrote Cunliffe with a poetic touch. Those nine words may say as much as anything about the source of our reverence.

George Washington was sensible and wise. He was not the most informed or imaginative of men. But he understood himself and this nation-to-be. That understanding came from the many elements that make up any person. His heart and mind were shaped by his family, his land, his community and the small events that touched him every day. Those were the normal experiences. They were added to his natural endowments. Only one power can fully fathom such a formula—God. Washington had the tolerance of a landsman, the faith that comes with witnessing the changing seasons year in and year out, the sensitivity that accumulates from watching buds burst and colts grow. Optimism, perseverance, patience and an eager view of the distant horizon have always been a gift of the earth to those who stayed close to it.

We pay too much attention these days to college degrees, to public displays of so-called brilliance. We are overawed by the listings in *Who's Who*, by prizes and travels and speeches. We pay too much heed to organizational charts, office tension, human friction and how paper flows or does not. We busy ourselves too much in searching for minor flaws in our Presidents, finding petty shortfalls and mistakes, relishing pratfalls and humiliations.

The presidency to this day still rests more on the character of the person who inhabits the office than on anything else, try as we may in our books and papers to develop formulas and charts that explain success and failure. The founding fathers designed it that way. It was their idea to find a man in America with a great character and let him invest a tradition and shape a national character. They found George Washington. He did his job splendidly. He might even have known what he was doing. When he took the presidency he wrote, "I walk on untrodden ground. There is scarcely any part of my conduct which may not hereafter be drawn into precedent." That is at once beautiful and profound. It is no wonder he succeeded, entering office with such a code of conduct.

Our task is to rekindle the tradition, to search in our system for people of great character and then bring them to power and rally behind them; not blindly, to be sure, but with understanding and even sympathy and tolerance. Character like Washington's is not a blend of everything that is perfect. In fact, we have not done too badly through 39 men who became President. Even today, in the midst of great national worry, the quality in the presidency that helps keep a beleaguered nation together is the character of the man we glimpse in the White House. Over these past decades some of our Presidents have had more than others. We have not always been alert to those who have had outstanding characters, and sometimes we have been fooled by those who did not have the depths of character we thought they had. Character has come in different sizes and shapes, and some Presidents seemed to have enlarged it as time went on, while others have appeared to lose character under stress.

More than all the other Presidents, George Washington has marched through our centuries untouched by critics, growing larger under the baleful eye of history. An uncommon man made from common parts remains our grand legacy and our hope in this moment of bewilderment in our third century. ■

COVER STORIES

The Verdict Is Guilty

An Israeli commission apportions the blame for the Beirut massacre

After the Phalangists had left the camps, Red Cross personnel, many journalists and other persons entered, and it then became apparent that in the camps, and particularly in Shatila, civilians, including women and children, had been massacred. It was clear from the spectacle that presented itself that a considerable number of the killed had not been cut down in combat but had been murdered, and that no few acts of barbarism had also been perpetrated.

In this kind of careful, deliberate prose, Israel's official commission of inquiry described the dreadful events of the three days last September when Israelis allowed Lebanese Phalangist soldiers to enter the Sabra and Shatila Palestinian refugee camps in Beirut, where the Christian militiamen proceeded to murder between 700 and 800 Arabs. After four months of testimony and deliberation, the Israeli commission last week delivered its report on the Beirut massacre, and it proved to be a stinging indictment of Defense Minister Ariel Sharon and several military officials, concluding that they shared an "indirect" responsibility for what happened in the Beirut camps. The report assigned only a "certain degree" of blame to Prime Minister Menachem Begin, but it recommended that Sharon either resign or be dismissed. It was also highly critical of three top commanders and a military intelligence official who were involved in the Israeli occupation of West Beirut.

The report, described by the Jerusalem *Post* as a "political earthquake," set off shock waves throughout Israel and indeed throughout the world. It was hailed in the U.S. and Western Europe as a remarkable example of self-criticism by a democratic society. Said the New York *Times*: "How rare the nation that seeks salvation by revealing such shame." In France, Interior Minister Gaston Defferre remarked, "This report is the honor of Israel. It gives the world a new lesson in democracy." The Italian Communist paper *L'Unità* called the report "a turning point for Israel," while Italian Journalist Arrigo Levi wrote in *La Stampa* of Turin: "It would be difficult to find any other nation at war that would let itself be subject to such an open and hard self-criticism."

The U.S. cautiously avoided any public comment on the report. Said President Reagan: "I just don't think we should be commenting or injecting ourselves into that internal problem." Nonetheless, some Administration officials privately expressed hopes that the commission's findings could, by reducing Sharon's influence, lead to a lessening of the increasingly pernicious tension that has recently permeated U.S.-Israeli relations *(see following story)*.

The Begin government's response to the report was more circumspect. In the days that followed the release of the report at 9 a.m. Tuesday, the Cabinet met for three stormy sessions. Each time, Sharon refused to resign and Begin refused to dismiss him. Finally, after a grueling 6½-hour session Thursday evening at which the Cabinet voted 16 to 1 to accept the commission's findings, with only Sharon himself dissenting, he called Begin to say he would vacate the post. As it turned out, however, the Cabinet voted on Sunday to keep him in the government as a Minister Without Portfolio. Begin will serve as Defense Minister for a while, after which the job may go to Moshe Arens, 57, a hard-line Begin ally now serving as Israel's Ambassador to the U. S.

As tension mounted in Israel after the report's release, the political atmosphere grew progressively uglier. Demonstrations took place day after day by supporters and opponents of the Begin government. On Thursday night, outside the Prime Minister's office in Jerusalem, where the Cabinet was in session, a hand

Sharon after the crucial Cabinet vote

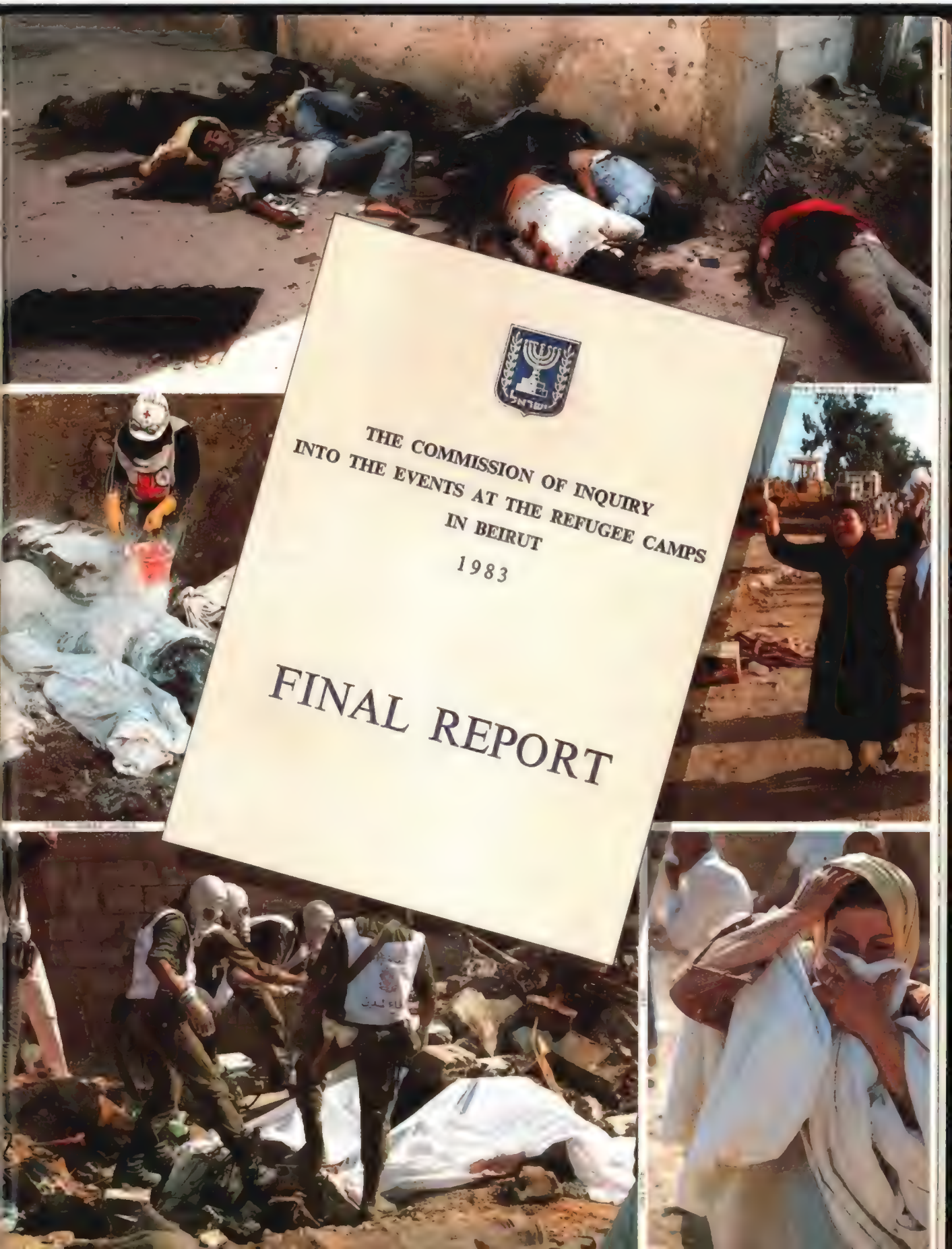
Ariel Sharon

"We know that the consideration [of possible bloodshed] did not concern him in the least . . . The Defense Minister made a grave mistake."

Menachem Begin

"For two days . . . he showed absolutely no interest in the camps . . . His lack of involvement casts on him a certain degree of responsibility."

Begin, clearly distraught, leaves his office



THE COMMISSION OF INQUIRY
INTO THE EVENTS AT THE REFUGEE CAMPS
IN BEIRUT
1983

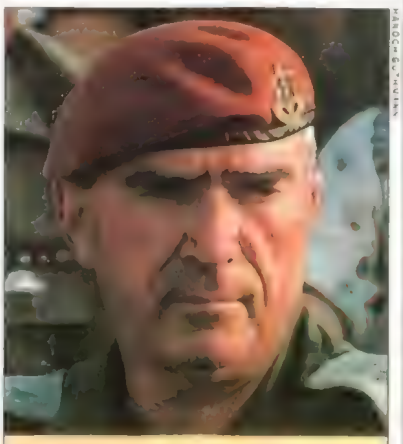
FINAL REPORT

grenade exploded in the midst of a group of Peace Now antiwar demonstrators, killing one person and injuring nine others, including the son of Interior Minister Yosef Burg. It was the first time that an Israeli had been killed as a result of the continuing internal political debate, and it shocked the nation. Decrying the violence, Israel's President Yitzhak Navon declared somberly, "Whoever threw the hand grenade tonight should know: we all have hand grenades."

At the center of the storm was the commission report, a 115-page document painstakingly prepared by a three-member panel headed by Supreme Court President Yitzhak Kahan *(see box)*. Prime Minister Begin reluctantly appointed the commission in late September after an unprecedented wave of protest within Israel, culminating in a mass rally of 400,000 people in Tel Aviv, an extraordinary demonstration for so small (pop. 4.1 million) a country. Begin had previously grumbled, "Goyim kill goyim, and they come to hang the Jews." But under the rising pressure, he named the commission, which was charged with ascertaining "all the facts and factors connected with the atrocity." In the weeks that followed, the commission heard testimony from 58 witnesses and received written statements from 163 others. Assessing the accumulating evidence, the commission formally advised nine Israeli government and military leaders, including Begin and Sharon, that they were "liable to be harmed" by the findings. Serious political activity was now all but suspended in Israel as government and opposition alike awaited the commission's conclusions. Complained one Cabinet member: "It's like a sentence hanging over our heads."

When released last week, the report turned out to be far tougher than most Israelis had expected. "There is virtual hysteria," said Knesset Member David Magen, who belongs to Begin's Herut Party. The report and its consequences dominated the news in Israel all week as the Cabinet met again and again in an effort to decide on a course of action. Three Cabinet members, including Foreign Minister Yitzhak Shamir, flew home from overseas trips in order to take part in the discussions. Would Sharon quit or be fired? Would Begin himself resign? Would he seek Knesset support for holding early elections, even though this would be opposed by some of the small parties that belong to his Likud coalition? Or would the Prime Minister simply try to ride out the crisis?

In its findings, the commission drew an essential distinction between direct and indirect responsibility for the massacre (*see* ESSAY). It asserted flatly that the atrocities in the refugee camps were perpetrated by members of the Lebanese Phalangist forces, not by Israeli soldiers. The report described rumors that Israeli soldiers had been in the camps during the massacre as "completely groundless," and



Lieut. General Rafael Eitan

"He did not consider the danger of acts of vengeance and bloodshed . . ."

it denied that Israeli forces had any prior knowledge that a massacre would occur. It continued: "At the same time, it is clear . . . that the decision on the entry of the Phalangists into the refugee camps was taken without consideration of the danger . . . that the Phalangists would commit massacres and pogroms against the inhabitants of the camps . . . Similarly, it is clear that when the reports began to arrive about the actions of the Phalangists in the camps, no proper heed was taken of these reports. The correct conclusions were not drawn from them, and no energetic and immediate actions were taken to restrain the Phalangists and put a stop to their actions."

Major General Amir Drori

"He took certain measures . . . His guilt lies in that he did not continue . . ."

In reconstructing the events of those shocking days, the commission noted that on Wednesday, Sept. 15, the day after the assassination of Lebanon's President-elect Bashir Gemayel, Israeli Defense Forces moved into predominantly Muslim West Beirut. That same morning, Israeli Chief of Staff Rafael Eitan told Phalangist commanders, with whom the Israelis had long had friendly ties, that Phalangist forces would be the ones that would enter the Palestinian refugee camps in West Beirut. Also that morning, Sharon arrived in Beirut, conferred with his commanders and paid a condolence call on the Gemayel family. Meanwhile, Major General Amir Drori, who headed Israel's northern command, was "not at ease" with the plan to send the Phalangists into the camps. He tried to persuade the commanders of the relatively weak Lebanese army to undertake the assignment. The army leaders, fearful that they would appear to be acting in collusion with the Israeli forces that had so recently occupied West Beirut, said no.

On Thursday, Sept. 17, the report continued, final arrangements were made for a Phalangist intelligence unit, headed by Elias Hobeika, intelligence chief of the Phalangist forces, to enter the camps, and at about 6 p.m. the entry occurred. That night and throughout the following day, reports reached a number of Israeli officers and enlisted men of trouble within the camps, but top Israeli military men ignored or underplayed these warnings. The report concluded that as late as 4 p.m. Friday, when he met with Phalangist commanders, Chief of Staff Eitan told them they should "continue the action, mopping up the empty camps" until 5 a.m. Saturday, by which time they must leave the camps because of "American pressure." It was not until Friday evening that Eitan reported to Sharon, according to the Defense Minister, that the Phalangists had "gone too far," and Begin himself, as he testified in November, did not learn of the massacre until he tuned in the BBC toward evening on Saturday.

As it turned out, the Phalangists did not leave by 5 a.m. Saturday. They remained and continued their murderous harassment in the vicinity of Gaza Hospital, finally departing at 8 a.m., only after receiving a further warning from the Israeli divisional commander in charge of the troops in the area, Brigadier General Amos Yaron. What they left behind was death and outrage.

Who shared in the "indirect" responsibility for the deaths? Prime Minister Begin, said the commission, was "not a party to the decision to have Phalangists move into the camps." Nonetheless, it continued, he had displayed an "indifference" to the whole affair, and "for two days after the Prime Minister heard about the Phalangists' entry, he showed absolutely no interest in their actions in

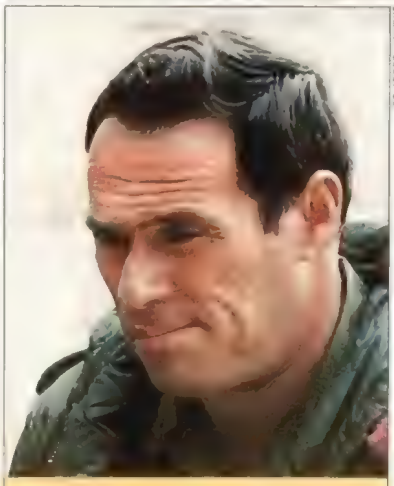
the camps." The commission concluded that Begin's "lack of involvement in the entire matter casts on him a certain degree of responsibility," but it did not recommend that he be obliged to step down as Prime Minister.

Similarly, the commission found that Foreign Minister Shamir had "erred" in failing to do anything about a telephone call he received Friday, Sept. 17, from Communications Minister Mordechai Zipori warning him of a report that the Phalangists were slaughtering Palestinians in the camps. But it did not recommend that any action be taken against him.

For Sharon, the commission reserved its strongest condemnation, declaring: "It was the duty of the Defense Minister to take into account all the reasonable considerations for and against having the Phalangists enter the camps, and not to disregard entirely the serious consideration mitigating against such an action, namely that the Phalangists were liable to commit atrocities and that it was necessary to forestall this possibility as a humanitarian obligation and also to prevent the political damage it would entail. From the Defense Minister himself, we know that this consideration did not concern him in the least." It should have, concluded the report: "In our view, the Defense Minister made a grave mistake when he ignored the danger of acts of revenge and bloodshed by the Phalangists against the population in the refugee camps. These blunders constitute nonfulfillment of a duty with which [he] was charged." In consequence, Sharon should "draw the appropriate personal conclusions," *i.e.*, resign or be fired by the Prime Minister.

The commission was only marginally less harsh in dealing with three of the four senior military officers involved. It arrived at "grave conclusions" regarding "acts and omissions" by Chief of Staff Eitan, 54, a veteran of all the Israeli wars, who was known for his battlefield valor and coolness under fire. In its description of events, the commission noted that after the assassination of Gemayel, Eitan had predicted in a Cabinet session on Thursday, Sept. 16, that the Phalangists would engage in "an eruption [of revenge] . . . the likes of which has never been seen" and that he had added, "I can already see in their eyes what they are waiting for." Nonetheless, said the commission, Eitan failed to advise Sharon strongly against sending the Phalangists into the camps and thus must be viewed as a "partner" to the decision. Later, it noted, Eitan failed to raise the subject of the Phalangists' behavior at the meeting with Phalangist leaders, and allowed the operation to continue a day longer. His behavior added up to "dereliction of duty," the commission concluded. But since Eitan is due to retire as Chief of Staff in April, the commission recommended no punitive action against him.

Another key figure in the case was General Yaron, 42, the divisional commander, who had a position on the roof of the forward command post during the



Brigadier General Amos Yaron

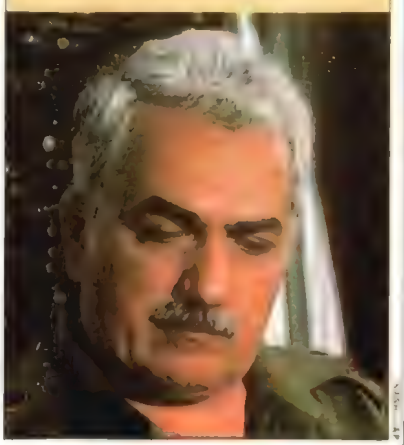
"It should have been clear to him that they were killing women and children."

Phalangists' operation. At about 7 p.m. Thursday, only an hour after the Phalangists had entered the area, one of Yaron's aides, a Lieut. Elul, overheard a conversation on the Phalangists' radio. He heard a Phalangist officer inside the camp report that he had a group of 50 women and children in his charge, and ask what he should do with them. According to Elul, the Phalangist officer in charge of the operation, Hobeika, replied: "This is the last time you're going to ask me a question like that. You know exactly what to do." At that, said the report, "raucous laughter broke out among the Phalangist personnel on the roof."

Elul understood that the Phalangists were talking about the murder of women and children, and told Yaron what he had overheard. Yaron went over to Hobeika and spoke with him quietly for five minutes, but Elul could not hear what was said. An hour later, a Phalangist liaison officer reported to Israeli officers, including Yaron, that the Phalangists had killed large numbers of people inside the camp.

Major General Yehoshua Saguy

"The picture . . . is of indifference and a conspicuous lack of concern . . ."



Despite this and other indications of mass murder, Yaron failed to report the information to his superior, General Drori, that night or the following day. Afterward, when everyone knew about the massacre, Yaron told colleagues that "the whole [military] system showed insensitivity." He added, "I did badly, I admit it." The commission agreed. It recommended that Yaron should not serve as a field commander for at least three years.

The commission also took a fairly strong position against Major General Yehoshua Saguy, 49, the director of Israeli military intelligence. Saguy had not trusted the Phalangists and did not want to cooperate with them. But he had been overruled by Sharon, who had preferred to take the advice of the Mossad, the Israeli civil intelligence agency, which had previous dealings of long standing with the Phalangists. Saguy testified that he was not informed beforehand that the Phalangists would be allowed to enter the camps. When he learned what had happened, he did nothing. As he told the commission, "So what could I say? 'Why did you send [them] in without asking me?' Or should I act insulted? No. I simply stepped aside in this matter, that's all." The commission concluded that he had displayed "indifference and a conspicuous lack of concern" about the whole affair, and recommended that he be relieved of his post.

On the other hand, the commission decided that no action should be taken against the head of Mossad (whose identity is never disclosed), since he had served as the agency's director for only four days at the time of the massacre. The commission also recommended that no action be taken against General Drori, who had made some effort to get the Phalangists out of the camps, even though he had failed to "continue with these actions."

One section of the report, known as Appendix B, was not published at all, mainly for security reasons. That section contains the names of several intelligence agents referred to elsewhere in the report. TIME has learned that it also contains further details about Sharon's visit to the Gemayel family on the day after Bashir Gemayel's assassination. Sharon reportedly told the Gemayels that the Israeli army would be moving into West Beirut and that he expected the Christian forces to go into the Palestinian refugee camps. Sharon also reportedly discussed with the Gemayels the need for the Phalangists to take revenge for the assassination of Bashir, but the details of the conversation are not known.

In what is perhaps the most eloquent passage in the report, the commission declared that it could not accept the argument, advanced implicitly by some members of the Begin government, that Israel had no responsibility for deeds perpetrated outside its borders by members of the Christian community against Palestinians. Said the commission: "It should not be forgotten that the Jews in various lands of exile, and also in the land of Israel when it was under foreign rule, suffered greatly from pogroms perpetrated by various hooligans; and the danger of disturbances against Jews in various lands, it seems evident, has not yet passed. The Jewish public's stand has always been that the responsibility for such deeds falls not only on those who rioted and committed the atrocities, but also on those who were responsible for safety and public order, who could have prevented the disturbances and did not fulfill their obligations in this respect."

From the Arab world there was scarcely a word of praise for the commission's strong report. The Kuwait *Times* reminded Reagan that he had said last fall that "no punishment is enough" for those responsible for the massacre and declared: "Call for the punishment now, Mr. Reagan. The witness is yours." The Jordan *Times* said the purpose of the report was "to protect the Israeli version of justice and self-righteousness, which has cost us dearly in almost every respect." In Cairo, an editor described the report as an attempt "to find scapegoats to save the Israeli defense establishment." In Riyadh, a Saudi Arabian official, obviously pleased, remarked privately, "Somewhat surprising, isn't it? Of course it didn't go far enough. There should have been an international tribunal."

It was unfortunate that the Arab reaction so demeaned their case. Arabs were at a loss to respond cogently to the results of the Israeli inquiry precisely because no government in the Arab world would dream of subjecting itself to the scrutiny of an independent commission. Nor would any be likely to survive such an investigation. In Beirut the Lebanese government's own investigation into the massacre is unlikely to mete out punishment *(see box)*, even though the identities of many of those responsible for the murders must surely be known. Noting Lebanese Prime Minister Chafik al Wazzan's comment that the Israeli commission's report had "at least uncovered to the world who was really responsible," the Washington *Post* caustically observed: "How conveniently he seems to forget who pulled the trigger." In fact, said the *Post*, the Arab leaders like Palestine Liberation Organization Chairman Yasser Arafat who complained that the Israeli inquiry had not been sufficiently tough or far-reaching were themselves guilty of chutzpah, the Yiddish word for gall.

Three Judicious Choices

At the center of the judges' bench, hunched over his papers, sat the soft-spoken, bespectacled President of Israel's Supreme Court. On his right was a scholarly fellow Justice who, with his impassioned manner and shock of black hair, cut the panel's most arresting figure; on his left, a trim, mustachioed, usually silent retired major general. The three members of the investigative commission—Yitzhak Kahan, 69, Aharon Barak, 46, and Yona Efrat, 56—are known respectively for integrity, independence and intrepidity. They are admired collectively for their dispassionate rectitude. No one had quarreled with their initial selection; few quibbled about their final decision.

The team's tone and agenda were set and its most searching questions asked by Kahan, a Justice of the Supreme Court since 1970, celebrated for his scrupulous modesty. The natural choice to head the investigative commission, he demurred at first, citing two related cases he was involved in. Yet Kahan brought to the task powerful public and private qualifications. He is an authority in all branches of the law, noted for the clarity of his written opinions. Kahan is a withdrawn and deeply religious man: he attends synagogue regularly, eats only kosher food, and conscientiously observes the Sabbath. But in 1981, when the Chief Rabbinate tried to stop an archaeological dig in Jerusalem on religious grounds, Kahan put science first and helped to give the project the green light.

Commission Members Barak, Kahan and Efrat hear testimony

As high strung as Kahan is low key, Barak (whose name means lightning in Hebrew) was the panel's conscience, its most strident and at times indignant voice. An international authority on commercial law, Barak offers a dazzling résumé. He was, at 32, Israel's youngest full professor, at 38 its youngest Attorney General, and at 42 one of its youngest Supreme Court Justices. He is also, as the Jerusalem *Post* puts it, "a pillar of probity," a respected champion of individual rights, indifferent to rank and impervious to reputation. As Attorney General, in 1977 he sent to prison the government's nominee for chairman of the Bank of Israel and in 1977 forced the Minister of Finance to withdraw a plan to give amnesty to tax evaders. In April 1977 he prosecuted Prime Minister Yitzhak Rabin's wife Leah for holding U.S. bank accounts, forcing Rabin's departure from office. And as Begin's legal adviser, Barak was, wrote Jimmy Carter in his memoirs, "a real hero in the Camp David discussions."

Efrat, now an energy-industry executive, was the panel's quiet member. But when he spoke it was as a man personally acquainted with both military habit and Ariel Sharon. In Israel's war of independence, he broke out of the hospital a week after being shot in the neck, in order to rejoin his platoon; during the 1967 war he commanded the audacious Golani Brigade, which seized seemingly unassailable Syrian positions. Since then, he has proved similarly dauntless in inquiries into episodes of possible army misconduct. As a former aide to Chief of Staff Rafael Eitan, Efrat also hesitated before joining the commission.

But his reputation for fairness outweighed such qualms. Indeed, there is a joke in Israel about an engineer who built a highway. When asked how he had made it so straight, he replied, "Simple. I took Yona Efrat to the site and told him to lie down." The engineer could as easily have chosen Kahan or Barak.

The commission's investigation was probably as thorough and painstaking as it could have been under the circumstances, and as expected, it produced a crisis for the Begin government. At first, it seemed likely that the departure of Ariel Sharon could be arranged quickly. Labor Party Leader Shimon Peres told Knesset colleagues that the report was "unambiguous and clear," while the tiny Communist Party wasted no time in offering a no-confidence motion. Amnon Rubinstein, head of the left-wing Shinui Party, said it would be "absurd" for the government to remain in power. But within the Likud coalition, many of Begin's supporters, including leaders of the ultraorthodox Agudat Israel and the Tehiya Party, urged Begin and Sharon not to resign. At a two-hour Cabinet meeting on Tuesday, Finance Minister Yoram Aridor asked Sharon whether he intended to resign. Retorted Sharon: "It's not up to me. The Prime Minister will have to do it." Begin then declared: "I will not fire a minister in this Cabinet."

An hour before the Wednesday meeting, Begin conferred briefly with U.S. Special Envoy Philip Habib, who had returned once more to try to help arrange a foreign-troop withdrawal from Lebanon. By now it was clear that Sharon was trying to tough it out. He left the Cabinet meeting to preside over a huge cocktail party in Tel Aviv for the visiting Defense Minister of Zaïre, a country that Israel is presently wooing. As he entered the Tel Aviv Hilton, Sharon was greeted by shouts of "Arik, we are with you. We want Sharon!" Among the 500 guests were scores of Sharon loyalists who had been invited at the last moment to give rousing evidence of the minister's continuing popularity.

A perplexed Begin remarked to aides Wednesday morning, "We've known worse crises." Nonetheless, the Prime Minister looked tired and bothered. A colleague explained: "He is in a dilemma. He respects the judges and the judicial system. Yet he doesn't want to fire Sharon. He doesn't want to be the man to do it." When asked why Begin found this so difficult, the minister replied: "He respects a good soldier. And to him, Arik Sharon is a good soldier." Another explanation is that Begin the politician did not want to alienate Sharon or his constituency any more than was absolutely necessary.

Meanwhile, much of the military establishment was furious over the extent to which it had been blamed for the debacle in Beirut. Eitan had originally planned to resign early last week, but he changed his mind when he realized Sharon was stalling. So Eitan stayed on, hoping to persuade the Cabinet to appoint the candidate of his choice, Major General Avigdor Ben-Gal, as the new Chief of Staff. Officers of the military intelligence branch, Aman, were particularly bitter, believing that they were being asked to pay the price of the Mossad's mistakes in dealing with the Phalangists. As one ranking Aman officer put it, "No matter what happens, we take the blame." Few military men were moved by Sharon's attempt to come to the defense of the generals who had been criticized in the report by publicly praising them. They noted that he has not spoken with either Eitan or Saguy for months. Said a general who commanded a division in Lebanon last year: "It doesn't mean much that he is now playing the game of the army's great protector."

The showdown came at the Thursday night Cabinet meeting. Outside, a demonstration by Sharon supporters, shouting "Arik Sharon, king of Israel," was followed by the Peace Now demonstration, and then by the fatal hand-grenade explosion. Inside, the Cabinet members were engaged in furious debate. At one point, when Sharon expressed his opposition to the report, Attorney General Yitzhak Zamir snapped: "You're still not a legal expert." Another time, when he failed to gain the support he needed for a delaying tactic, Sharon shouted: "What do you want to do, chop off my head? O.K., chop

Supporters of Begin and Sharon hold a rally outside the Prime Minister's office in Jerusalem

Not far from the place where a grenade was to explode later, protesters call on Sharon to resign

Hopes were expressed that the debate would not lead to destruction of the Third Temple

it off! Do you think the [army] officers are hostages?" Interrupted Begin: "Why do you talk like that?" Another minister chimed in: "Don't talk that way. Lower your voice."

When the vote on whether to accept the commission's report was finally taken, Sharon did not have the support of a single colleague. Begin was one of the 16 who voted for adoption of the massacre report. Trying to be kind, Begin told Sharon: "You still have some time to think. Today we only took a general decision, and it's good to think things over."

Later the Prime Minister embraced Sharon, saying, "You are young. You still have much to do." The Defense Minister responded, "We will remain friends." Sharon subsequently reinforced the impression that he would go into retirement by saying that there was much work to be done on his farm in central Israel.

Next day, however, it was learned that some kind of compromise had been worked out in the Cabinet. Soon after Sharon called Begin to say that he would be bidding goodbye to his friends in the Defense Ministry and the army on Monday, an aide to the Prime Minister disclosed that Sharon would probably remain in the Cabinet. Sharon then corroborated the report, explaining: "There was a reshuffle of portfolios, and that's the end of the problem. I am still in the Cabinet. Begin did not fire me." There were reports that, as a Minister Without Portfolio, he would serve as Begin's chief security adviser and as a member of the security committee and the committee dealing with the Lebanese negotiations. If that happens, Sharon may remain an influential if embittered member of Begin's inner circle. He told associates late last week that he felt he had been let down by both Begin and Shamir. He said he was "disappointed in the Old Man" for not helping him more strenuously, but he was furious with the Foreign Minister for not returning from Europe more quickly to render support.

Begin is expected to hold the Defense portfolio himself for about a month, after which it is likely to go to Arens. A tough and occasionally abrasive diplomat, Arens is also an aeronautical engineer who keeps on his embassy desk the models of planes he has helped design, including the Kfir jet fighter. Born in Lithuania in 1925, he emigrated to the U.S. at the beginning of World War II. Later he served two years in the U.S. Army and studied aeronautical engineering at the Massachusetts Institute of Technology. In 1948 he emigrated to Israel, where he joined the Irgun Zvai Leumi and met Menachem Begin. In 1980, while he was serving as a right-wing legislator who had opposed the peace treaty with Egypt, Arens turned down the chance to become Ezer Weizman's successor as Defense Minister, apparently because he did not want to be in charge of the dismantling of Israeli settlements in the Sinai.

On Friday, at about the time Ariel Sharon was telling an audience in Tel Aviv that "the mark of Cain" had been planted on his forehead by the week's events, several thousand Israelis attended the funeral, in the port city of Haifa, of Emil Eliyahu Greenzweig, 33, the victim of the grenade attack of the previous evening. Professor Elkana Yehuda spoke of Greenzweig, who had recently received a master's degree in philosophy and mathematics from Hebrew University, as "a symbol of love and tolerance." Yehuda expressed his hope that the current national debate would not lead to "the destruction of the Third Temple," a term that Israelis sometimes use for their 35-

Foreign Minister Shamir in Tel Aviv

Sharon was furious over the delay.

Elusive Truth

On the day after he was inaugurated last September, Lebanese President Amin Gemayel ordered Assad Germanos, chief prosecutor of the country's military tribunal, to conduct an investigation of the Beirut massacre and to report his findings directly to him. Gemayel told Germanos, "We want all the truth, not 50% or anything less than all the truth. Our nation's honor is at stake, so you must do everything, even the impossible."

Germanos

Unlike Israel, Lebanon has only recently emerged from a civil war and is deeply riven by political strife. At the time of Gemayel's request, Germanos' office was still in ruins from the crossfire in Beirut. Germanos has also been hampered by the need to carry on his regular duties, which included trying 6,752 cases last fall.

Germanos and his aides have taken testimony from more than 100 witnesses, including senior officials of the Phalangist forces that are widely believed to have committed the atrocities. Aware of the dangers his investigation poses, Germanos refuses to divulge the names of his staff. As for himself, he says, "If I worried about being killed, I would change jobs."

It is uncertain what Gemayel will do with the report once Germanos delivers it to him. The Phalangist militiamen still make up the most powerful Lebanese military force, and they operate as a law unto themselves. Gemayel's relationship with them is strained, and they have the power to disrupt his government.

Many Lebanese are also frankly cynical about an investigation into a single massacre, however tragic it was. The 1975-76 civil war in Lebanon took 100,000 lives, and killings are still committed with impunity every day. People reason that it is both unrealistic and unwise to expect that justice will be done, since there has been no justice in Lebanon for so long a time. Many Lebanese Christians and Muslims agree that it is more important for Gemayel to disarm the Phalangist militia and work toward national reconciliation than to try and bring to justice those responsible for the Palestinian massacres. Gemayel may want a thorough investigation, but to get it he is not likely to prejudice a complex political process that may determine the survival of Lebanon as a nation.

Israeli Ambassador Arens in New York

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year-old state. Later, when Chief Rabbi Shlomo Goren told the gathering, "Our hands did not shed this blood," a Haifa man, Meir Gabai, shouted at him, "You shed this blood!" and others in the crowd called out, "Begin is responsible!" At that point, Olga Greenzweig, the victim's mother, got up and asked that everyone stop the shouting. She also asked the Chief Rabbi to please stop. Emil Greenzweig, a reserve paratroop officer who had fought in the 1967 war, the 1969-70 war of attrition, the 1973 war and the war in Lebanon, was then buried near the grave of his father.

If the withdrawal from Lebanon were under way, it might be said that last week's soul searching marked an ending of sorts to the most unpopular war in Israel's history. But this is not true. The troop-withdrawal talks remain deadlocked, and relations with the U.S. are as strained as they have ever been. Nor is it clear whether the mere transfer from one Cabinet post to another of Ariel Sharon is an appropriate response to the recommendations of a commission that was investigating a terrible crime. Presumably Menachem Begin has been somewhat weakened by the report and by the events of the past eight months. But so far he has managed to hold his government together. With the support of Israel's growing population of Sephardic Jews, who favor his aggressive policies, Begin remains the odds-on candidate to win the next elections, whenever they may be. He could retire, of course, but driven as he is by the obsession that the West Bank must forever be part of the land of Israel, he is reluctant to trust the "divine promise" to other hands. The commission's report may have precipitated a "political earthquake" in Israel, but the extent of the aftershocks will not be known for a long time. —*By William E. Smith.*

Reported by Harry Kelly and Robert Slater/ Jerusalem

A faded black flag forlornly marks the mass grave at Shatila

"I Cannot Think Too Much"

Among the first foreign newsmen to enter the Palestinian refugee camps of Sabra and Shatila after September's massacre was TIME *Correspondent Roberto Suro. Last week, after the Israeli commission published its findings, Suro paid a return visit. His report:*

A few faded ribbons entangled with wilted leaves and a torn flag, once black but now faded to a blotchy purple, are the only mementos left at the mass grave site inside the entrance to Shatila camp. Children on their way home from school skip across the weed-covered burial ground, looking for bits of refuse that can serve as toys. They seem ignorant or uncaring of the fact that beneath their feet lie the bodies of some 200 of the estimated 700 people slaughtered during those 38 grim hours last fall.

The grave site goes untended, but for those who were present at the time of the massacre it still has an inescapable presence. "I always think of those days," says a middle-aged Palestinian man who lost his wife and five children in the killings. "But I cannot think too much." The man has a piece of shrapnel in his skull and another in his leg from the bombs that exploded during the siege of Beirut. He now tends a small clothing store with his sole surviving relative, his father. Says the son: "When I think of the killings, I am afraid that it could happen again. If I remember too much, I want to leave here. But where to go?"

Many of the physical wounds left on the camps by the siege and the slaughter remain unmended. In the final stages of the massacre, Phalangist militiamen ran bulldozers into homes with the dual aim of destroying shelters and burying victims in the rubble. On the main street running through Shatila, a demolished house is a tangle of rusting steel supports. Remnants of clothing are caught in the twisted red bars, so that the rubble looks like a nightmarish clothes closet. The second story of another house is exposed where a wall was ripped away. On the upper floor a drinking glass still sits on a ledge above a washbasin, exactly where it was left on that fateful Thursday.

Reconstruction in the camps lags far behind the rest of Beirut. Residents of Shatila can get water only from a single pipe sticking out of the ground on the main road outside the camp. At an intersection where some residents put up a defense against attacking militiamen, a bomb crater is filled with old auto tires and a rusted tank trap. Raw sewage oozes up to create a black slick on the muddy rain water that covers the street. The major exception to the aura of neglect is a small corner of Shatila that is under the care of a United Nations relief agency. Elsewhere, Norwegian and Austrian relief workers have supplied materials to residents for rebuilding their homes and opened a clinic and a kindergarten on the site of similar facilities formerly operated by one of the more militant Palestine Liberation Organization groups.

Before the massacre, Sabra and Shatila were hives of cottage industry. The clang of metal against metal still rings from some of the small automobile repair shops, but behind the din there is a kind of lethargy. Women and children abound, but there are few males of working age. Many of the men were killed in the massacre. The male Palestinian fighters who survived left the country in the evacuation following the Beirut siege. Since then, the Lebanese army and security forces have conducted roundups of suspected P.L.O. members, criminals and others believed to be in Lebanon illegally. The roundups have contributed to the fear and insecurity that still linger in the camps.

Publication of the Israeli commission report last week brought little joy or satisfaction to the residents of Sabra and Shatila. Said a Lebanese woman who lost several cousins and neighbors in the slaughter: "It is not enough for Israeli officials to lose their jobs. They should hang, or they should be made to die like dogs the way people were killed here." Others were less vengeful, but equally cynical. Said a young Palestinian woman who plans to leave Lebanon: "The Israeli judges did not tell half the truth. They just said enough to try to convince the world that they are honest people." But the feeling of most camp residents was probably reflected by a Lebanese mother who declared, "What do I care about the Israelis. It was Arab people, Lebanese, who came here to kill." The woman held out her hands, palms upward, and said in Arabic, "My hands are empty," meaning "I can do nothing about it." That described the fate of Sabra and Shatila last September, and it remains the fate of the camps today.

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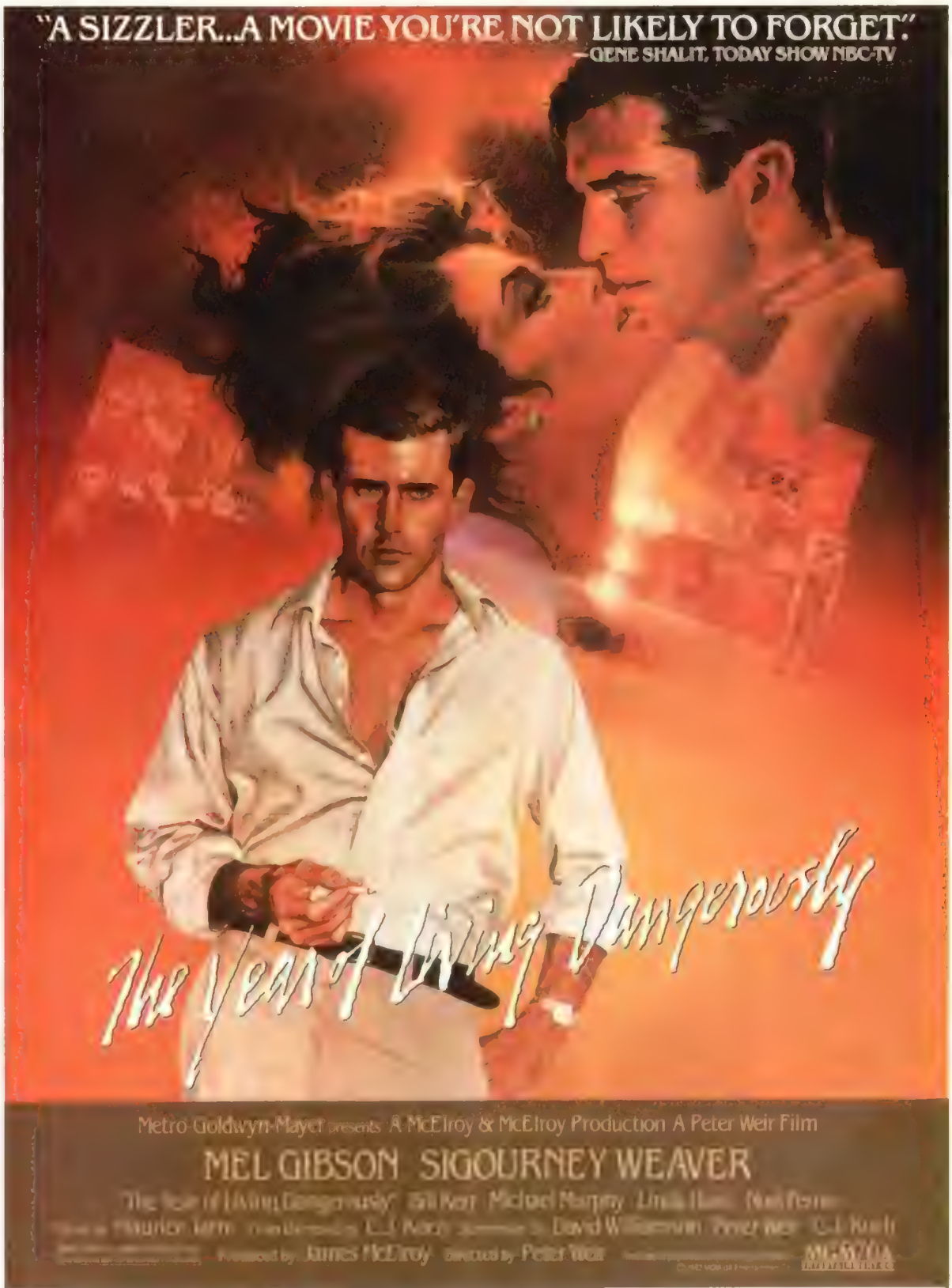

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A Sadly Deteriorating Relationship

Conflicting goals continue to strain U.S.-Israeli ties

Israel's preoccupation with its domestic maelstrom has momentarily turned attention away from another topic that has been consuming the country's passions and energy: the ever growing rift between Jerusalem and Washington. U.S. Special Envoy Philip Habib discovered for himself last week just how absorbed Prime Minister Menachem Begin was in his own troubles. When the peripatetic troubleshooter showed up in Israel to discuss a new U.S. plan for the withdrawal of foreign troops from Lebanon, Begin found only 45 minutes for him. Said an Israeli official: "Nothing of substance came up at the meeting."

The silence was deceptive because the report on the Beirut massacre and Ariel Sharon's subsequent resignation as Defense Minister may have a profound effect, for better or for worse, on U.S.-Israeli relations. At stake is not only Washington's attempt to break the deadlock over the withdrawal of foreign troops from Lebanon, but also the far broader objective, set out in Reagan's peace initiative last September, of solving the Palestinian problem by linking the Israeli-occupied West Bank and Gaza Strip to Jordan.

The commission's report was published as relations between the U.S. and Israel sank to one of their lowest points in a quarter-century.* From the President's anger over the siege of Beirut last summer to Begin's curt rejection of Reagan's peace plan to the stalemate over the Israeli withdrawal from Lebanon, everything has seemed to conspire to heighten tensions and deepen distrust. Perhaps the simplest and most basic example: the more President Reagan expressed his disapproval of new settlements in the West Bank, the faster the Israelis built them. Says a senior Administration official: "There is questioning on high as to whether we and the Israelis really do share fundamental goals in the Middle East."

Indeed, only 15 hours before the commission released its findings last week, Reagan had taken the unusual step of criticizing Israel for stalling in the negotiations over a withdrawal from Lebanon. "Israel is delaying unnecessarily," the President told a group of television newsmen. "For them not to leave now puts them technically in the position of an occupying force."

The Pentagon added more fuel to the fire last week when Defense Secretary Caspar Weinberger flatly rejected Israel's terms for sharing military intelligence gleaned by Israel in its Lebanese victory. Weinberger's decision to speak out just as the Israeli Cabinet was meeting to discuss the massacre-investigation report presumably was no coincidence. It was his way of saying that the Pentagon prefers not to deal with Ariel Sharon.

The most immediate source of friction between the two countries, which have so long been proud of their "special relationship," is the stalemated troop-withdrawal talks between Israel and Lebanon, now in their eighth frustrating week. Simply put, the U.S. considers the Israeli presence illegal and suspects that Jerusalem is seeking a permanent role in its neighbor's affairs. Begin's strategy, in the U.S. view, may be to stall on a withdrawal from Lebanon long enough to ensure, in part through the furious pace of settlement building, that Reagan's peace plan for the West Bank has no realistic chance of success.

Israel argues that unless it can obtain certain security guarantees, a withdrawal of its 30,000 troops in Lebanon would invite the return of the Palestine Liberation Organization and thus the renewed cross-border shelling of towns in northern Israel. As a result, the Begin government has been insisting on a statement ending the state of war between the two countries, open borders, and a residual force of Israeli soldiers stationed at three patrol bases in Lebanon. Siding with Lebanese President Amin Gemayel, the Reagan Administration says that such conditions would both alienate potential allies of Lebanon, such as Saudi Arabia and Syria, and make a mockery of the country's supposed sovereignty.

Israel, ironically, has rarely had a better friend in the Oval Office than Ronald Reagan. During his first year as President, Reagan rarely wavered in his support for Israel, even in the aftermath of its bombing raid on an Iraqi reactor in June 1981. But then, slowly, tensions began to build, and U.S. officials pin much of the blame on Defense Minister Sharon. In the months immediately after his appointment in August 1981, Sharon had nothing but praise for America. He signed a "Memorandum of Understanding" with his U.S. counterpart, Caspar Weinberger, that called for closer strategic ties between the two countries. At a meeting with Israeli military commanders in Tel Aviv, he boasted, "They told me at the Pentagon that Israel saves the U.S. from building and keeping another 20 aircraft carriers in the Mediterranean."

Reagan and Begin conferring in the Oval Office in June 1982

Israel, ironically, never had a better friend in the White House.

The turning point came with the invasion of Lebanon last June. As early as last February, according to Israeli officials, Sharon had briefed the Administration on its military plan, but Reagan objected vigorously. Then, over the summer, Reagan became increasingly angry as Begin and Sharon escalated their public goals from the initial aim of wiping out P.L.O. guerrillas in a 25-mile strip along Israel's northern border. Time and again, the President's advisers believe, Israeli officials deceived or lied outright to the U.S.

Once in mid-August, Reagan called Begin to express his "outrage" about the latest heavy bombardment of West Beirut, but Begin assured him that the raids had stopped. A few minutes later, the President learned from Habib that bombs were still falling on the besieged city, so Reagan called the Israeli Prime Minister

*Relations reached their lowest ebb during the Eisenhower Administration, when Israeli forces, together with British and French troops, invaded Egypt in October 1956 after Nasser nationalized the Suez Canal. The British and French pulled out after two months, but the Israelis stubbornly remained. Eisenhower castigated Israel on national TV in February 1957 and privately threatened sanctions. Two weeks later the Israelis departed.

back. Yet not until nightfall did the Israelis stop bombing Beirut. "The bad blood of that day will never disappear," admits an Israeli Defense Ministry official. "It will always remain as a barrier between Begin and Reagan."

Since then the friendship has suffered further strains. Begin defiantly and hastily rejected Reagan's peace plan last September. He totally ignored the President's request for a freeze on West Bank settlements, and only four days later conspicuously gave the O.K. for eight new settlements in the occupied territories. What especially infuriated U.S. officials was Israel's entry into West Beirut after the assassination of Lebanese President Bashir Gemayel. The move broke a pledge made to Washington, and created the conditions in which Sharon and his commanders could be held indirectly accountable for the Beirut massacre that began one day later.

Recent weeks have brought a series of minor brushes as Israeli units tried to pass U.S. Marine checkpoints outside Beirut and were turned back; in the ugliest incident so far, a Marine captain brandished a pistol and turned away a trio of Israeli tanks. U.S. officials are convinced that the tank ploy was a deliberate act of provocation and that Sharon was behind it. Said a U.S. official: "Someone was trying to make some points."

Just how testy Sharon could be was perhaps best illustrated by his relationship with U.S. military officials. After some diplomatic skirmishing with the Israeli Defense Minister, Weinberger last November dispatched Andrew Marshall, the Pentagon's chief intelligence analyst, to Israel to seek a full report on how U.S. and Israeli weapons systems had performed during the invasion of Lebanon. Sharon demanded that the U.S. not transmit any of the information given by Israel to any ally, including NATO countries, without specific permission from Jerusalem. Moreover, if the data led to the development of any new U.S. defense systems, Israel would share in their production as well as the profits. Finally, Sharon demanded full details on certain existing American weapons, including advanced communications gear.

The Pentagon rejected Sharon's demands, briskly informing him that the exchange of military data could be handled under one of the 27 existing agreements of cooperation between the U.S. and Israel. Officials pointedly noted that the British had willingly shared all their military data gathered during the Falklands war.

Israeli officials blame the U.S. for the deteriorating relationship. Washington, they argue, may think it is only advocating compromise, but in fact the U.S. is asking Israel to trade away its security. Jerusalem insists that it is the Arab nations, especially Jordan and Saudi Arabia, that are the stumbling blocks in any negotiations in the Middle East and that the U.S. should stop hectoring Israel and start pressuring the Arabs. Israeli officials also complain that Washington sometimes

Weinberger: Israel's nemesis in Washington

sends mixed signals; they contend, for example, that last year some Administration officials, notably former Secretary of State Alexander Haig, seemed to indicate that they would not mind if the Israelis crushed the P.L.O. in Lebanon. On a personal level, Israeli officials distrust Weinberger and feel that he consistently tilts toward the Arabs.

Administration officials privately expressed the hope last week that with Sharon out of the Defense Ministry, Begin would prove more flexible on both the troop-withdrawal talks and the West Bank and Gaza Strip. "Sharon was the most serious obstacle to everything this government has been attempting to do," said a Government expert on Middle East affairs. "He had his own agenda, his own foreign policy." From Washington's viewpoint, it would also be best if Begin did not call elections in the foreseeable future because an interim government would probably only mark time, and thus precious months for negotiation would be lost. If, as is widely expected, Begin then won the election handily, he would be emboldened further to resist U.S. pressures.

U.S. Marines on patrol in Beirut

Suddenly, ugly flare-ups with Israelis.

To a large extent, the U.S. Jewish community's misgivings expressed last fall about Begin's policies are now gone. American Jewish leaders were nearly unanimous in calling for Sharon's removal in the wake of the massacre commission's report, but they also stressed that his departure should not lead to a change in Israeli policies on Lebanon or the West Bank. Said Howard Squadron, president of the American Jewish Congress: "It doesn't make a particle of difference."

The U.S. has few means at its disposal to pressure the Begin government. Any threats to cut foreign aid to Jerusalem would not only infuriate Begin and harden his position, but would be almost impossible to carry out. Capitol Hill is highly susceptible to Israeli lobbying efforts, no matter what Begin does; two months ago, Congress voted $200 million more in aid for Israel in fiscal 1983 than Reagan had requested. Still, the U.S. appears at least to be contemplating putting some new pressure on Israel. By describing the Israelis last week as an "occupying force" in Lebanon, Reagan was making an oblique reference to the Mutual Defense Assistance Agreement, which prohibits the use of U.S.-supplied weapons in offensive operations. The fact that he decided to drop the hint at all shows just how impatient the President has become.

If Reagan and Habib push hard, the Administration will probably be able to forge an agreement on Lebanon over the next few months. Israeli reasons for remaining there diminish daily. The occupation is not politically popular at home, the casualty list is growing, however slightly, and the cost—both economic and moral—is high. But when Reagan presses for his peace plan, tempers are sure to flare again.

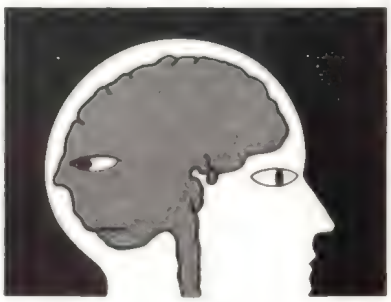
Even a different government in Jerusalem would probably bring a change in tone rather than substance. The acrimony and strains of the Begin years have tended to mask a painful truth: the long-term interests and goals of the U.S. and Israel often diverge and sometimes clash directly That does not mean that compromises cannot be explored or accords worked out. What it does mean is that the conflicting objectives make it incumbent upon both countries to be especially scrupulous about maintaining ties and to strive harder to understand each other. That has not been the case over the past two years, and both the U.S. and Israel have suffered as a result. —***By James Kelly. Reported by David Halevy/Jerusalem and Gregory H. Wierzynski/Washington***

ESSAY

The Commission Report: The Law of the Mind

The Israeli Cabinet's overwhelming acceptance of the report of the commission inquiring into the Beirut massacre will prove important to Israel's well-being, but the power of the report goes beyond Israel. Whether or not they meant to, the commissioners produced a philosophical document, an expression of moral thought. What the report says, quietly, within its recommendations and explanations, is that there is a truth in human actions both detectable and accountable without confessions or irrefutable evidence—a secret truth—and that in the eyes of both common justice and common sense, this truth has no place to hide.

This idea comes to light in the report's basic principle of "indirect responsibility," an old principle, needing little clarification. What the Israeli commission called indirect responsibility, Thomas Aquinas deemed the sin of omission, and the concept antedates Aquinas in the Old Testament prophets. In domestic law it goes by the name of negligence. The application is familiar: by doing nothing to prevent a wrongful act, in spite of having the power to do so, one shares a portion of the blame. It may go further. If one sets into motion a train of events that lead to a calamity, however circuitously, he may be culpable as well, the absence of intention being merely a detail.



One of the side virtues of the commission's work is that it elevates the principle of indirect responsibility to international cognizance. The jurists at the Nuremberg trials went to great lengths to cite positive acts, "crimes against humanity." No one was charged with just standing by. The difference in the Israeli report (apart from its not being a court verdict) is that at Nuremberg a victor was judging a fallen enemy, whereas here the accused were called to account by their own people.

But the fundamental force of the report rests not in its application of indirect responsibility, nor in the explosive political context in which it struck a match. Rather its value is that it makes use of a kind of truth that is ordinarily the preserve of psychologists and clergymen. More than that, it claims for this truth equal weight and status with objectively provable reality. The commissioners record that witnesses characterized the massacre as "a disaster which no one had imagined and which could not have been—or, at all events, need not have been—foreseen." They then make this extraordinary announcement: "We are not prepared to attach any importance to these statements." When one says something like that, he can mean only two things. First, I do not believe your account of the circumstances. Second, I know, or strongly suspect, what really occurred.

To make such a claim takes nerve, to say the least. To Sharon and the others the report plainly says: You are indirectly responsible for Sabra and Shatila because you "should have felt apprehension," you should have "take[n] the danger into account"; you "were obligated to foresee as probable" the carnage that ensued.

But what does it actually mean when one finds somebody responsible for an act because he *should have known* what would happen? He is not imputing stupidity; the person would probably be let off the hook for merely behaving stupidly. Is he implying gross incompetence or a shallow carelessness? Perhaps, but these contentions, too, lessen the degree of personal culpability. No, when someone in authority is told that he ought to have anticipated a disaster, it means that the grand total of his professional experience and knowledge demanded, beyond reasonable doubt, that he behave differently than he did. Indeed, it is also beyond reasonable doubt that he merely forgot or tossed aside all that professional experience and knowledge when he neglected to act. Thus, "You should have known," in certain circumstances, becomes a way of elegantly telling someone he's a liar, a liar more to himself than to others, possibly, but a liar nonetheless.

What this says about human nature is that one cannot escape his own knowledge; he cannot be baptized innocent on a moment's notice; nor may he be born again whenever difficulties make rebirth convenient. What this says about the comprehensiveness of reality is more far-reaching. "We are not prepared to attach any importance to these statements [of self-exoneration]," wrote the commissioners, adding, "and not necessarily due to the fact that this evaluation was refuted by reality"—that is, by the reality of the massacre. In other words, the commission saw another, deeper reality in the works, the reality of the silent connections the mind makes between experience and reason. These connections, they held, had to be made, claims of what "no one had imagined" notwithstanding.

In fact, the sphere of the report is unapologetically the real world. To those under investigation the commission was, in effect, putting the question "Who are you kidding?" And the question was not wholly rhetorical. In matters of guilt and innocence the gray area is often the largest, and this is the area judicial bodies are usually loath to enter. Yet this commission claimed the territory. Where the report might easily have shrugged away the problem of blame, asserting that these matters of moral choice are so private no one can plumb them, it said instead these are private areas of conscience that everyone both understands and experiences, and it is only common sense to acknowledge their existence and to mention what goes on there. The commissioners enhanced the concept of moral responsibility by applying reality to it, a shadowy part of reality certainly, but no less real than shadows. One may even deal in shadows of doubt.

In one sense such an attitude is terribly intrusive. In a court of law, it would be profoundly dangerous to convict and punish someone with "You knew better, and we know you knew better." Here the idea is not only unintrusive; it is almost sympathetic—not forgiving of the minds that recognized the danger, however dimly, and did nothing, but at least acknowledging that such things do happen. Without swirling around the mind's various tides of self-delusion, the report implied, by way of accusation, that self-delusion, even the most destructive, is recognizable. This gives no consolation to the perpetrators, but it may benefit the rest of us, whose crimes of negligence may be minor but no less effective.

One of the lasting benefits of the Nuremberg trials, despite the continuing controversy that surrounds them, was establishing in the public consciousness that "just following orders" is no excuse for crimes. Here, though the crime is considerably smaller, the value of the report is similar. Both adjudications affirm and expand the notion of what is real in the world. Gunfire is real, and so are thoughts. The wisdom of the commission in making this point the way it did is that Israelis may grasp it best of all. The report notes sharply that Jews are especially and painfully familiar with both the principle of indirect responsibility and how it works, since they have so often watched the world stand by while they were slaughtered in the streets and hated in the mind. The mind. The report is about the treacherous and devious mind. And it says as clearly as it may ever be said that we know what we know, and what we know, we act on—or do not.

—By Roger Rosenblatt

WEST GERMANY

Racing Down to the Wire

As the campaign nears the end, Kohl's prospects improve

Helmut Kohl, 52, was suffused with optimism last week as he and senior election strategists huddled over breakfast in Bonn's chancellery. With only three weeks remaining until West Germany's March 6 national elections, the tall, affable leader was considering some heartening news. According to a poll published in the weekly magazine *Der Spiegel*, Kohl's Christian Democratic Party and its ally in Bavaria, the Christian Social Union, were leading the rival Social Democrats 49% to 42%. Those figures marked a 1.5% rise in the popularity of Chancellor Kohl's conservative grouping from the previous week, and an almost identical decline for the Social Democrats. Said Kohl: "Things are now going in our direction."

The Chancellor campaigning in Cologne

A belief that things are now going his way.

The Chancellor is still far from victory in West Germany's volatile and, perhaps, pivotal election campaign. The stakes include not only the Chancellor's office, but the direction of West German foreign policy and possibly even the future of the NATO alliance. The reason: as the campaign has progressed, the electorate has become increasingly polarized over the placement of U.S. Pershing II and cruise missiles on West German soil. A poll for *Der Spiegel* published a week ago showed that approval of the so-called two-track NATO strategy of deploying the missiles, while simultaneously pursuing arms talks with the Soviets, has jumped from 38% to 51% among Christian Democratic supporters. At the same time, however, approval among Social Democrats declined from 37% to 26%.

Before Kohl called the elections more than four months ago, hardly anyone could have predicted that West German politics would have become so muddled. Though the Social Democrats had been in office for 13 years, their popularity had reached a low of 27.5%, compared with 54% for the Christian Democrats. The Social Democrats were tired and tattered by factional disputes centering on Chancellor Helmut Schmidt's pro-NATO defense policy and his management of the economy. When Kohl and the Christian Democrats took office in October, some Social Democrat leaders predicted that their demoralized party would recover only after long years in opposition.

Even before the election campaign began, however, Kohl's rosy political prospects started to fade. First, a wave of sympathy began to build for the defeated Schmidt, whose term of office ended when the small, centrist Free Democratic Party deserted his coalition to join Kohl's conservative alignment. Then Kohl faced a voter backlash for the way he arranged the election call, by stage-managing a vote of confidence against himself in the Bundestag. That maneuver has been contested by four Bundestag members before West Germany's Constitutional Court.

Paradoxically, Kohl has also suffered from his brief period of incumbency. With monthly business failures hitting an alltime high of 1,257 in December and an unemployment rate of 10.2%, many voters are blaming Kohl for failing to arrange a quick upturn in the economy, though the new Chancellor has had little time to make much difference in the face of unavoidable economic difficulty.

An even bigger surprise for Kohl has been the strength of his new opponent. A former mayor of Munich and West Berlin, Hans-Jochen Vogel, 57, was named as the Social Democrats' candidate for Chancellor shortly after Schmidt left office. Lacking Schmidt's flair and experience, Vogel has moved the party steadily to the left. He has demanded that the U.S. and the Soviets sign an arms agreement that would make it unnecessary for NATO to install the Pershing and cruise missiles. That stand brought cheers from the Social Democrats' left wing. In addition, it drew away potential support for the Greens, West Germany's environmentalist antinuclear movement. Since the campaign began, popular support for the Greens has dropped from 9% to 5%, with the difference presumably going to the Social Democrats.

Vogel has also skillfully taken advantage of his party's new-found opposition status to thunder at Kohl for the dismal condition of the economy. Said Vogel in a speech in the industrial center of Dortmund: "Kohl maintains that the German rate of unemployment is a result of too extravagant social benefits. How false! How superficial!"

Kohl's response has been consistent with his reassuringly stolid image: a steady plugging away at conservative themes of hard work, austerity and unswerving adherence to NATO and the U.S. nuclear umbrella as the mainstays of West German well-being. His party has hired Ken Randal, 44, a New York City television director, to make a series of hard-sell commercials, reminding the electorate that most of the country's economic problems were inherited from the Social Democrats. In one TV spot, a woman pensioner leafs through a photo album and reminisces wistfully about the 1950s, when Konrad Adenauer and the Christian Democrats were in power. Concludes the lady: "Now there's Kohl. I trust him. We need to work together to put the mess right."

The Kohl hard sell is improving his party's ratings but not yet by enough to ensure a clear majority in the Bundestag.

Challenger Vogel declaiming in Dortmund

Moving his party steadily to the left.

In former days, that would have left the balance of power with the Free Democrats. But last week's poll in *Der Spiegel* shows that party gaining only 4% of the vote, up from previous soundings but still one percentage point less than the minimum required for the Free Democrats to hold any Bundestag seats. The Greens did make the threshold, barely, with 5% in the poll. As a result, there is a possibility that the Greens might displace the Free Democrats as the pivotal third force in the Bundestag. That outcome could well bring political disaster, in the form of a deadlocked government. For NATO, anything short of a Kohl majority could also bring a paralyzing reconsideration of the crucial European missile issue. Despite his rising fortunes, Kohl had plenty of reason to redouble his efforts as the race entered its final days. —*By George Russell. Reported by Roland Flamini/Bonn*

Ford presents a dramatic new balance of form and function.

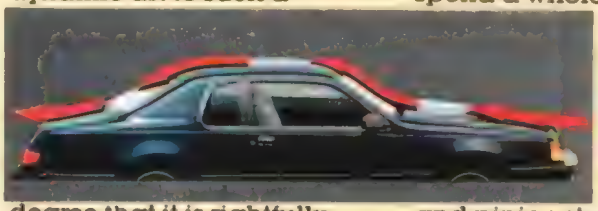
Thunderbird for '83.

Thunderbird for '83.
Before we made it beautiful, we made it right.

There are a few words that spring immediately to mind when first you see and drive Thunderbird for 1983.

AERODYNAMIC

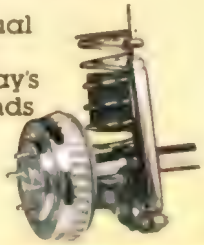
Thunderbird is obviously that. But, Thunderbird is even more. The common concept of aerodynamics is one of reduced wind resistance. Ford has developed the aerodynamic art to such a



degree that it is rightfully called "air flow management." The idea is very simple. Don't merely cut down the resistance to air; actually *use* the wind flow to press down on the front end for directional control; to hold the back end down for road stability. To reduce wind noise. The fact is, Thunderbird is one of the most aerodynamic cars made in America today.

BALANCED

Thunderbird is a magnificent balance of form and function. Making Thunderbird visually distinctive has always been of primary importance.
But, mere visual beauty is not enough. Today's driver demands a car that responds eagerly to



speed, steering and braking commands as if it were a part of the driver... an extension of

the five senses. That is the focus of Thunderbird's design logic. Not that you should spend a whole lot of time thinking about such engineering accomplishments as variable ratio rack and pinion steering, gas-filled shock absorbers and a 3.8 liter V-6 engine with locking torque converter. But we have. And all that makes Thunderbird your sixth sense on the road.

PERSONAL

Thunderbird is one of the most personally gratifying cars you'll ever experience. The contoured seats can be power-controlled six

separate ways to put your body in precise, comfortable alignment to the driving controls. Electronic instruments abound.
The stereo automatically searches

out and locks onto station signals. Side view mirrors respond to electrical signals you send from a command pod between the seats. And except for the optional power

seats, the Thunderbird Heritage model is complete with all this equipment at no extra charge.

TRUE THUNDERBIRD

Outside, inside and underneath, the new Thunderbird has been designed to give you every tool for road command. Driven within the limits of law and physics, it gives you a level of confidence and control you will feel, touch and enjoy.
In a phrase, it is a pleasure to drive. In a word, it's Thunderbird.

Get it together—
Buckle up

Ford

HAVE YOU DRIVEN A FORD...LATELY?

FRANCE

Exorcising Old Ghosts

Klaus Barbie, the "Butcher of Lyon," brings back the past

Few Nazi war criminals have been so hated in France as Klaus Barbie, the infamous "Butcher of Lyon." While serving as head of the Gestapo in Lyon from 1942 to 1944, Barbie ordered the execution of more than 4,000 people and the deportation of 7,000 French Jews to concentration camps. His hands were also stained with the blood of Jean Moulin, France's most revered Resistance leader, who is believed to have died under torture in 1943. Twice Barbie was tried *in absentia* for his crimes and sentenced to death by French tribunals. But for more than three decades the Nazi managed to escape punishment and, indeed, prospered in Bolivia under the alias Klaus Altmann.

Last week Barbie, 69, was back in Lyon, locked away in Montluc, the prison where he tortured and jailed thousands. The full details of his heinous past and his flight from justice have yet to be told, but when he is brought to trial a third time, a Pandora's box of incriminating evidence against a number of French collaborators may be opened. The trial could even provide embarrassing details of a U.S. scheme to enlist the former Gestapo officer as an intelligence source after World War II.

Word of Barbie's expulsion from Bolivia stunned France. BARBIE: THE GHOSTS RETURN, read the headline of *Le Quotidien de Paris*. An equally macabre banner was printed by *Le Figaro*: THE DEVILS EXHUMED. Even before Barbie's arrival in Lyon, relatives of some of his victims began to gather in front of the heavy green wooden doors of Montluc in silent vigil. "I just want to get a look at his face," said a woman who survived Dachau. In the end, there was nothing to see. Closely guarded by French security agents, the prisoner flashed past in a blue armored police van.

France had previously demanded the return of Barbie, but Bolivian military leaders with close ties to the ex-Nazi businessman had refused. When leftist civilians took office in Bolivia last October, President François Mitterrand's government decided to try again. This time the Bolivians agreed to cooperate. In an apparent effort to pave the way for Barbie's expulsion, Bolivian police picked him up on Jan. 25 and charged him with fraud in connection with a $10,000 loan from the state. Barbie immediately repaid the debt, plus interest, but it did him little good. Instead of releasing him, Bolivian officials put him on a plane bound for Cayenne, the capital of French Guiana. When told he had been handed over to French authorities, the Butcher of Lyon made a gesture, as if slitting his throat.

The French government did everything it could to ensure that Barbie was hustled out of Latin America without incident. The Elysée dispatched a presidential DC-8 jet to Cayenne to fly him back to France. West Germany had also sought Barbie's extradition, but the Bonn government decided to let the French have him. Cynics were quick to point out that the Mitterrand government's dogged effort to bring the Nazi to trial could only win votes for the Socialists in the French municipal elections set for next month.

The Butcher of Lyon in 1982

Shrouded in a sheet, Barbie is escorted to La Paz airport

He gestured, as if slitting his throat.

Barbie's arrest was particularly gratifying to Serge and Beate Klarsfeld, a French lawyer and his German-born wife who have specialized in tracking down Nazi criminals. When a Munich court tried to close the Barbie case in 1971, Beate Klarsfeld launched an international protest campaign that eventually turned up information on the missing SS man's whereabouts in Latin America. Largely on the basis of new evidence from the Klarsfelds, Lyon Magistrate Christian Riss decided to reopen the Barbie dossier in February 1982. This was necessary because his 1947 and 1954 convictions had lapsed as a result of France's 20-year statute of limitations on war crimes. Last November, Riss officially indicted the one-time Gestapo captain for "crimes against humanity," giving the Mitterrand government legal ground for going after Barbie.

During their investigation, the Klarsfelds also concluded that Barbie might have had links to U.S. Intelligence in the years after the war. Because the Americans were using the Gestapo man to glean information on operations in Soviet-controlled areas, they allegedly refused to turn him over to French security. Erhard Dabringhaus, a language professor at Detroit's Wayne State University, worked for Army counterintelligence in 1948, and claims that he was ordered to find Barbie a safe house in Germany and pay him $1,700 a month, a sum that went a long way in postwar Europe, for his intelligence reports. When Dabringhaus found out about Barbie's checkered past, he informed his superiors. Says he: "They told me to forget it for now. When he was no longer useful, they would deal with him." They never did. In 1951 Barbie turned up in Genoa, Italy, before escaping to Bolivia with documents issued by the International Committee of the Red Cross.

More details are bound to come to light when the trial begins next year. Because of the statute of limitations much of the evidence presented previously will be inadmissible this time in court. But prosecutors have compiled a full dossier for his new trial. He will probably be charged with rounding up and shooting railway employees in Oullins, outside of Lyon, and organizing a police raid in which 86 Jews were arrested. The most poignant case against him centers on the deportation of 41 Jewish orphans, aged 3 to 13, from the village of Izieux to the Auschwitz death camp. If convicted, however, Barbie will escape the guillotine, since France abolished the death penalty in 1981.

The Barbie trial could prove a long and lacerating experience for a nation that has still not fully come to terms with its wartime past, especially if Barbie should begin to give the names of Frenchmen who collaborated with him. Says Lyon Newspaper Editor Bernard Villeneuve: "For France, this affair will be an exorcism. This has marked our political life for 40 years. While I do not want to deny the past, I do think that my generation is tired. They would like to put it behind them once and for all." It might not prove so easy. The Butcher of Lyon can no longer imprison and torture, but he still has the means to make France suffer. —*By John Kohan. Reported by William Blaylock/Paris and Tala Skari/Lyon*

EL SALVADOR

New Skirmishes

The political front heats up

As weary U.S. diplomats know all too well, the protracted civil war in El Salvador is as much a psychological struggle as a military one. In military terms, the war remains at a stalemate. On other fronts, however, the struggle is definitely heating up. Two skirmishes:

▸ At El Salvador's Comalapa International Airport, smiles and warm handshakes were the only weapons on display last week, as U.S. Ambassador to El Salvador Deane Hinton and a swarm of local dignitaries turned out to welcome U.S. Ambassador to the United Nations Jeane Kirkpatrick on the fourth stop of a five-nation Latin American tour. On her arrival, Kirkpatrick declared that the Marxist guerrillas in El Salvador are "not winning anything." The Salvadorans had a message of their own for Kirkpatrick to pass on to the Reagan Administration: they want an addition of at least $35 million to the $25 million in military aid that Congress is currently considering for El Salvador in 1983.

▸ Back in Washington the mood seemed hardly favorable to such a request. Some outspoken Congressmen feel that the U.S. should relax its longstanding support for the Salvadoran government and instead pursue power-sharing negotiations with the Marxist-led Farabundo Martí National Liberation Front, a course the guerrillas have long advocated. Said New York Congressman Stephen Solarz: "There's a growing concern that our policy is leading nowhere."

That feeling was bolstered last week by a Washington *Post* report that Assistant Secretary of State Thomas O. Enders, chief architect of the State Department's policy toward El Salvador, had recommended to the National Security Council that negotiations with the guerrillas get under way. The *Post* report was quickly disavowed, however, by State Department Spokesman Alan Romberg. Said Romberg: "We oppose negotiations over power sharing." Despite that denial, signs pointed to another round of political infighting over El Salvador. ■

Hinton and Kirkpatrick share a few words

The Ayatullah Khomeini in Tehran

PERSIAN GULF

"The Last Blow"

Iran's latest offensive founders

The drive had the Koranic code name *Walfajr*, for "I swear by the dawn." But Iranian leaders were also calling it "the last blow to Baghdad," and noting that it was timed to mark the fourth anniversary of the Iranian revolution led by Ayatullah Ruhollah Khomeini. Declared Speaker of the Iranian Parliament Hojjatoleslam Hashemi Rafsanjani: "The people expect this offensive to be the final military operation that will determine the destiny of the region."

Last Monday evening thousands of Islamic Guards and volunteer troops, backed by several regular army divisions, swept across a flat plain toward Iraqi positions near the border of Iran's oil-rich Khuzistan province. It was the beginning of yet another major effort to drive enemy forces from Iranian soil, seize Iraqi territory in return, and ultimately bring down the regime of Iraqi President Saddam Hussein. Although the offensive apparently failed to score any immediate breakthrough, it was clear that another grim and bloody chapter in the 2½-year-old Persian Gulf war was in the making.

As usual, there was no way to confirm the exaggerated claims made by either side, since no foreign journalists were allowed at the front. But U.S. Intelligence officials said each side probably had about 100,000 troops poised for battle, and casualties were believed to be heavy. Throughout the week, the Iranians repeatedly launched "human wave" assaults in the face of heavy Iraqi resistance, only to fall back and press forward again. Residents of the Iranian city of Ahwaz, 100 miles from the fighting, reported that the local morgue, which can handle 2,000 bodies, was filled to capacity with war dead.

The Iranian offensive, the fourth launched by Tehran since last July, was apparently aimed at the Iraqi city of Al Amarah. Seizure of the town would enable Iran to intercept supply and troop movements between Baghdad, the capital, and the southern port city of Basra. By midweek, Tehran Radio was claiming that advancing forces had "liberated" 120 sq. mi. of Iranian territory from Iraqi forces since the attack began. An Iraqi military spokesman was contending that the attackers did not gain "one inch of Iraqi territory."

Iraq was clearly on the defensive, though, and appealed last week to United Nations Secretary-General Javier Pérez de Cuellar for help in arranging a truce. Having provoked the fighting in September 1980 to regain what he claimed was lost territory, Saddam Hussein now wants out of the war on almost any terms that could be described as honorable. Iran so far has rejected all offers. Even before the present worldwide oil glut, Iraq's petroleum production was down from a peak of about 4 million bbl. per day to about 1 million bbl. per day. Iraqi oil facilities in the south are in ruins, and the country's economy is being sustained by a monthly subsidy of $1 billion provided by Saudi Arabia and the smaller gulf states.

Although Iran made significant gains on the battlefield last spring and drove the Iraqis from much of their captured territory, Tehran does not seem able to win the war either. The Iranians are fighting with a hodgepodge of equipment bought from many nations and are suffering from a lack of spare parts. Deep divisions are said to exist between the regular military and the poorly trained but highly indoctrinated Islamic Guards. Troop morale is waning, and some expatriates say absenteeism and desertions are rife. Said a U.S. analyst in Saudi Arabia last week: "The gulf war has become a terrible replay of World War I, in which each side launches a terrible offense only to be beaten back by an even more formidable defense. The result: stalemate."

The Tehran government has managed to exploit the war as a unifying factor at a time when the country is riven with inner turmoil. In what appears to be an effort to dampen dissent against his harsh rule, Khomeini has launched a campaign to curb the excesses of the Islamic Guards and the clergy. In an eight-point directive issued Dec. 15, he ordered an end to unlawful arrests and urged respect for human rights, private property and individual privacy. Last week Khomeini took yet another popular step: he had the leadership of the small pro-Moscow Tudeh (Communist) Party arrested on charges of treason and espionage for the Soviet Union. Khomeini, said an Iranian clergyman, seemed to be telling his people, "As long as you don't oppose me, do whatever pleases you." ■

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GHANA

Homecoming to Misery

Africa's onetime model state betrays its promise

The refugees waved and cheered from overcrowded trucks; thousands of them stampeded joyfully down the gangways of rusty ships docked at Ghana's port of Tema. They were home after an often brutal fortnight spent in flight from Nigeria, more than 200 miles to the east. Along with workers from other nearby countries, the Ghanaians had been made scapegoats for Nigeria's formidable economic problems, and last month the Nigerian authorities gave them just two weeks to leave the country. Terrorized by fear of reprisals if they stayed, more than 500,000 Ghanaians braved beatings, bureaucratic delays and dwindling food supplies to reach their homeland. At least 30 died en route.

Those who made it back quickly found an impoverished nation hopelessly in debt, staggering under an increasingly unpopular, largely ineffectual military regime. It was not always so. Back in the late '50s, Ghana (pop. 11.5 million) was something of a showcase for African nationalism. It was the world's leading exporter of cocoa, and it produced nearly 10% of the world's gold. Its Western-style constitution promised civil liberties and political stability. Over the years, however, Ghana's promise was betrayed by a succession of inept governments and ill-considered economic policies. The returnees last week were quickly hustled off to their native villages, where few of them will find work and many may go hungry.

What has become a blueprint for failure began as Africa's first black nation to emerge from colonial rule. Under the charismatic leadership of its first President, Kwame Nkrumah, Ghana gained independence from Britain in 1957. But poor planning and extravagant government spending soon undermined the economy, while incompetent officials and pervasive corruption eroded Nkrumah's popular support. In 1966 he was overthrown in a widely popular military coup. That revolt set the pattern for the future; in the succeeding 17 years Ghana has endured five such coups.

The current military ruler, Flight Lieut. Jerry Rawlings, 35, first came to power in 1979, when he overthrew a military regime, vowing to end corruption and bring a return to parliamentary government. He made good on his second promise, calling free elections three weeks after the coup, but after just two years of civilian rule Rawlngs again moved in with his army strongmen. A leftist revolutionary descended from a Scottish engineer father and a Ghanaian mother, Rawlings promised on regaining power that Cuba would be the model for Ghana's development.

After just 13 months, however, Rawlings' administration is in danger of collapse. He has alienated intellectuals by abolishing the constitution and outlawing all political parties. Of the seven original members of Rawlings' governing Provisional National Defense Council, only two remain in office. The growing belief is that Ghana's economic problems are beyond Rawlings' limited talents to master. Says a onetime schoolmate: "Rawlings is strong on rhetoric but weak on reality."

The depth of Ghana's economic malaise is painfully visible on the streets of Accra, the capital. Potholes are everywhere; government buildings have not seen a new coat of paint in a decade. In the city's once thriving central market, goods are now in short supply. An egg costs $2.20; a pack of cigarettes, $30. Many factories have closed completely for lack of materials, while those that remain open commonly operate at only 10% of capacity. Harvests of cassava, the staple vegetable of the Ghanaian diet, have fallen to 1.8 million tons, down from 3.6 million tons ten years ago.

Ghana's greatest single economic failure, however, has been a precipitous drop in cocoa production, which accounts for 70% of the country's exports. Only 200,000 tons will be produced this year, in contrast to 500,000 tons twelve years ago. The reason: successive regimes forced artificially low prices on farmers, who then abandoned cocoa for more lucrative crops. Meantime, the country's already dwindling export earnings were poured into industrial projects that have largely failed. As a result, Ghana's foreign debt exceeds $2 billion, the equivalent of two years' exports.

Military Leader Jerry Rawlings

In a bid to reinvigorate the economy and revive foreign confidence, Rawlings recently unveiled a new four-year recovery plan based on still more state control of the economy. "Successive Ghanaian governments have done more or less the same thing, with disastrous results," says a Western diplomat. "It seems like a new recipe for an old economic disaster."

The government is currently negotiating with the International Monetary Fund for much needed aid. Bankers say at least $400 million would be required to ease Ghana's problems in 1983. In return, the IMF is likely to demand a devaluation of the cedi, Ghana's grossly overvalued currency, along with other stringent austerity measures. Any such agreement, however, could easily spark another coup by revolutionary elements within the military. The powerful radicals, says a former Ghanaian army officer, would "like to turn Ghana into a Cuba overnight and get rid of the last vestiges of private enterprise." As Rawlings vacillates between unpalatable alternatives, the influx of refugees brings not only the promise of serious food shortages but a dangerous infusion of unfulfilled expectations. Says returning Construction Worker Joseph Azah: "We left Ghana to escape rural poverty. We are not coming back to grow cassava." The flight lieutenant may soon regret that he cannot offer anything better. —*By Kenneth W. Banta. Reported by John Borrell/Accra*

Returnees arrive after a harrowing flight from Nigeria

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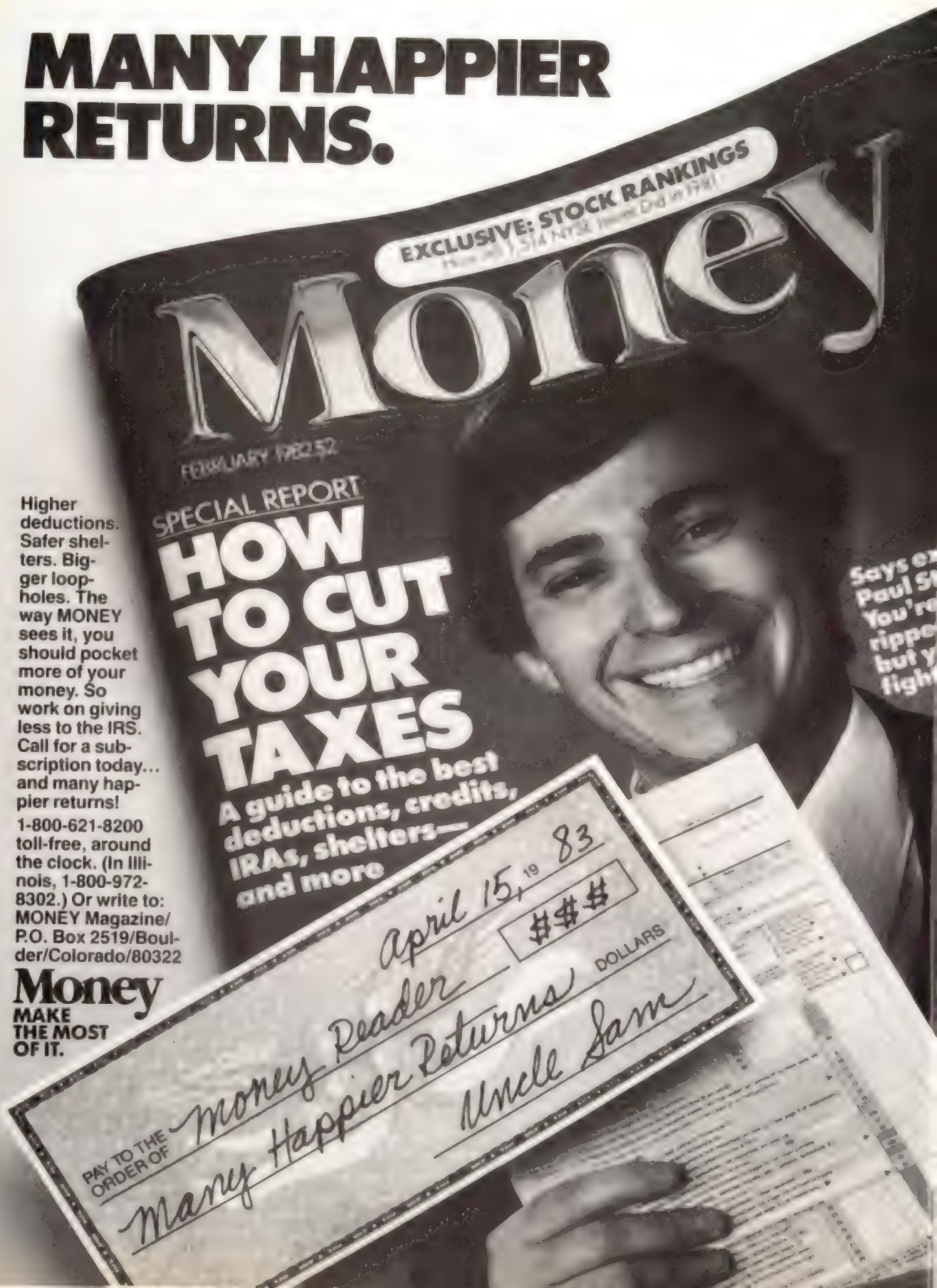

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IRELAND

Horsenaped

Stealing the Aga Khan's prize

It was after dark in the County Kildare countryside 30 miles southwest of Dublin, and Jim Fitzgerald's family had just finished dinner when there was a knock at the door. In burst five or more men, all masked and waving guns. Fitzgerald's wife and five of his children were herded together and locked in a back room. Fitzgerald, 55, head groom at nearby Ballymany Thoroughbred stud farm, was ordered to lead the gunmen to the stable of a certain five-year-old bay stallion.

Scared and a bit dazed, the horseman looped a bridle over the docile animal, then led him into the gang's horse trailer. Fitzgerald was ordered to lie face down in another van, from which he was freed an hour and at least 40 miles later. But by then the most acclaimed and valuable Thoroughbred in Europe, Shergar, was gone, horsenaped. "It was very neat," said a policeman of the caper.

The Aga Khan

Shergar is worth a fortune. In 1981, 35 investors put up $457,000 apiece for the horse, which was expected to earn $4 million or more a year in stud fees for 15 to 20 years. The thieves knew the breeding business. The four-month stud season begins this week; the first dozen of Shergar's 55 mates, each in season for a month, are already at Ballymany, ready and expensively waiting.

But just who has Shergar? There were several anonymous claimants. The first telephone caller the next morning demanded £2 million, presumably Irish pounds ($2.76 million), and a later one just £40,000 ($55,200). Other callers said Shergar was dead already, destroyed after an accidental eye injury. Inevitably, there was conjecture about Irish Republican Army involvement.

The criminals' intention was probably to offer the horse for ransom. Shergar would be practically impossible to sell. He would be hard enough to keep hidden. The Thoroughbred requires unusual amounts of exercise, since he has lately been on a special, high-energy diet in anticipation of four months of standing for a different brood mare every other day. Yet allowing him outdoors in the winter cold would be risky for the horse and horsenapers. His coat could be dyed: Shergar has white feet and a striking white blaze running the length of his face. But the stallion also has an unusual and unalterable amount of white in the left eye. Declared the daily *Irish Independent:* "At least one-third of Ireland would know him on sight."

Shergar was bred, raised and raced by the Aga Khan, 46, who retains 15% ownership and owns the $2.3 million Ballymany stud farm as well. In a two-season European career beginning in 1980, Shergar won six of his eight races, including the Irish and English Derbies, by impressive margins. He was voted Europe's Racehorse of the Year in 1981. The Aga Khan reportedly turned down a $30 million purchase offer from an American for Shergar. The eventual $18.3 million price is the fourth highest in breeding history.

Because combining proven bloodlines is the point in breeding, buying shares in a superstar like Shergar is as close to a sure thing as there is in horse racing. According to one British breeder, the price of Shergar's stud service was $46,200 in advance plus $46,200 more after conception. Last year all but two of Shergar's mares were successfully impregnated.

From St. Moritz, Switzerland, the Aga Khan was not saying much about the theft last week, but his uncle in London was publicly incredulous. Said Prince Sadruddin Aga Khan: "The whole thing seems like a fiction." To Novelist Dick Francis, the onetime champion jockey who writes scrupulously detailed race track mysteries, that allusion was alarming. "I hope the thieves didn't get their ideas from my books," he said. In fact, his 1967 novel *Blood Sport* concerns the theft of a stellar stallion, not for ransom but to service mares secretly. Francis and others in racing worry now about further high-stakes horse thievery. "If somebody with a gun wants to kidnap a stallion," an Irish breeding authority pointed out, "nobody is going to be able to stop him." ■

Shergar: $4 million a year in stud fees

One-third of Ireland knows him on sight.

BRITAIN

Oxford Atones

A vote for Queen and country

The motion before the Oxford Union, the university's prestigious 160-year-old debating society, had a familiar ring: "This house would not fight for Queen and country." Exactly 50 years earlier, on Feb. 9, 1933, the Union debated the same subject in the same wood-paneled hall. On that occasion, memories of World War I trench warfare were still vivid, and the motion was carried, 275 to 153. Only a few people seemed concerned that Adolf Hitler had just come to power in Germany. Even so, the pacifists' victory stirred an outcry. The *Daily Express* ranted against the "woozy-minded Communists, practical jokers and sexual indeterminates of Oxford," while Winston Churchill deplored "this abject, squalid, shameless avowal."

Last week the Union resoundingly reversed that pacifist stand. After 3½ hrs. of impassioned speeches from undergraduate and guest speakers, the motion was defeated 416 to 187. YES! cried a *Daily Mail* headline. THIS TIME THEY WILL FIGHT. It was, in fact, the third Oxford vote to do battle. In 1965, and again in 1981, similar debates were held, and the no votes won, though by narrow margins.

There were some connecting threads between last week's debate and its 1933 counterpart. The Oxford Union's treasurer back then was Labor Party Leader Michael Foot, who did not speak on that famous first occasion but today advocates unilateral nuclear disarmament for Britain. One of the featured speakers last week was Member of Parliament Douglas Hogg, who, like his father before him, argued the case for fighting. Another was Historian Max Beloff, 69, who as an Oxford undergraduate 50 years ago supported the pacifist line. This time Beloff, a lord, was on the other side. Said he: "Those of us who voted for the first motion have a duty to atone. Most of those who in this house said that they would not fight did, in fact, fight in the war."

Coming as it did at the height of the nuclear-missile controversy in Western Europe, the debate played to a packed house. Spectators listened politely as Pacifist Leader Helen John warned, "If there's a war, we won't be able to debate again in 50 years." But they jeered when she called Britain "an occupied country" because of the U.S. military bases there. Conversely, they applauded when former Prime Minister Lord Alec Douglas-Home said, "I am fearful when I see unilateralists sending out signals to a dictatorship that is mobilized with enormous armed forces and practices its doctrine in Czechoslovakia, Afghanistan and Poland." Home and Beloff carried the day, showing that, at Oxford at least, pacifism is non-U. ■

Turbulence in the Skies

Those $99 ticket prices, a boon to travelers, are a bane to the airlines

Delighted air travelers have been crowding ticket counters and tying up telephone reservation lines during the latest round of fare wars. For just $99 a seat one way they have been flying merrily between cities like New York and Los Angeles—a trip that can cost four times as much at full price. But the fares that have been so pleasant for passengers have been torture for the troubled airline industry. Some executives privately refer to the deep discounts as going-out-of-business sales. Says Monte Lazarus, senior vice president of United Airlines, the largest U.S. carrier: "The fares are suicidal, fratricidal and genocidal."

The ruinous price wars are just one sign of the chaos that has overtaken the industry since the Airline Deregulation Act of 1978 gave rise to wider competition. U.S. carriers lost an estimated $550 million in 1982, the third consecutive year of record deficits. Experts now fear that some weaker airlines may follow the route of Braniff International, which declared bankruptcy last May. Among those considered at risk: Pan American, which had $327 million in operating losses last year, the most for any airline; and Air Florida, a onetime highflyer that encountered turbulence after expanding too fast. The test for some carriers could come quickly, since the late winter months are normally slack ones for air travel.

Astonishingly enough, however, such gloom has not prevented a number of airlines from raising cash on Wall Street, which is not notably kind to losers. Although TWA dropped $101.3 million in 1982, for example, it announced plans last week for an offering of 5 million shares of common stock, designed to bring in up to $85 million. Moneymen treated that news with interest rather than as a sign of financial chutzpah. U.A.L., the parent of United, which lost $66.7 million last year, said it would offer 3 million shares.

The biggest shocker came Wednesday when investors snapped up a $135 million issue of Pan Am notes. Those went so fast that the airline was able to sell an extra $15 million of the securities as well. To be sure, the notes have plenty of enticements: they pay 15% interest, are secured by airplanes worth an estimated $215 million, and can be converted into Pan Am common stock at $5.50 a share. That last feature alone could provide a handsome return, since Pan Am stock could take off if the airline became profitable again. Pan Am shares closed at 4⅝ last week.

Investors are willing to risk money on this ailing industry because they suspect that it may be about to return to health. Airline stocks have risen by an average of 66% since August, a run-up that ranks among the best of any industry. Says Robert Joedicke, an airline analyst at Lehman Brothers Kuhn Loeb: "Airline profitability is entering a recovery period that should gain momentum during 1983 and continue for several years." A report from the investment banking firm of Morgan Stanley puts it in plainer English: "Every portfolio should have an airline stock."

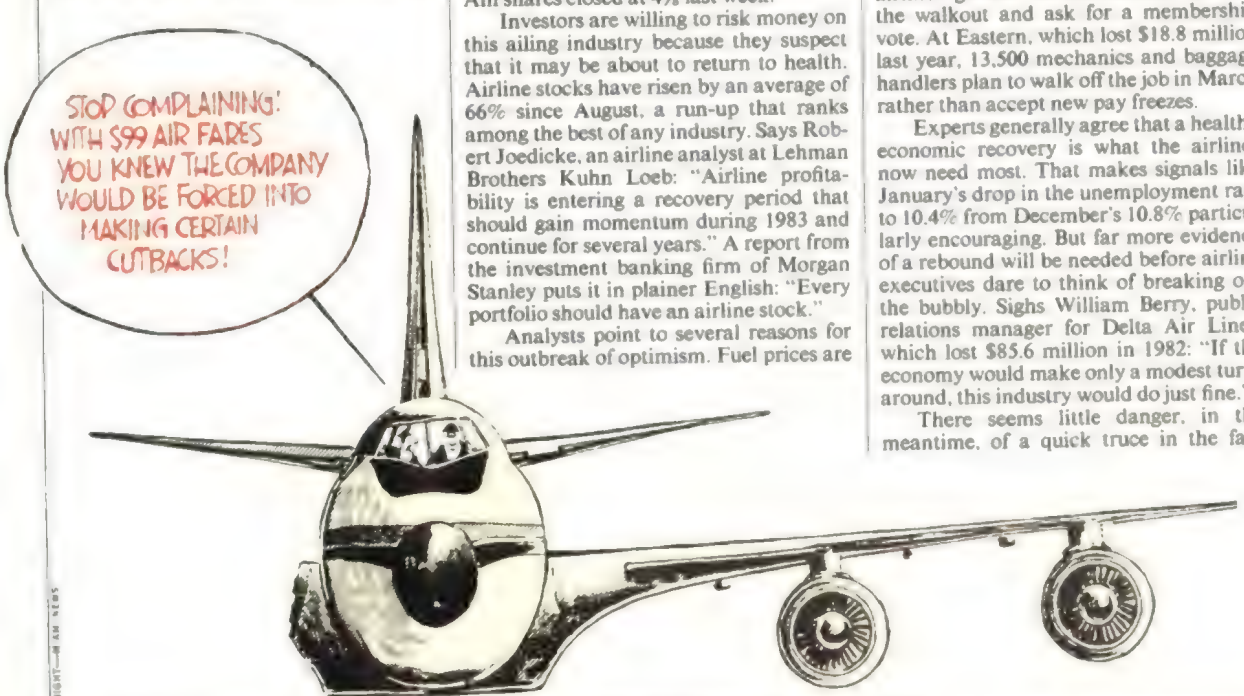
Analysts point to several reasons for this outbreak of optimism. Fuel prices are one. The airlines now spend an average of 95¢ per gal. for fuel, down about 7¢ from a year ago; that figure could drop a nickel more in 1983. Experts estimate that each 1¢-per-gal. decline saves airlines about $90 million a year. Fuel, in fact, accounts for fully 30% of airlines' total operating expenses. Notes Donald McGuire, a vice president of Piedmont Airlines, a healthy carrier that earned $23.8 million in 1982: "Any time you can fix one-third of your problems at once, you gotta be happy."

The carriers have also been bringing their labor costs, which represent 35% of spending, under tighter control. They laid off more than 15,000 of their workers last year, bringing total employment to 250,000. The cutbacks, expected to save the industry up to $500 million this year, hit workers in hangars, on flight decks and in the executive suite. Most carriers also negotiated pay freezes or wage cuts, along with changes in work rules.

Labor relations, however, have begun to turn sour for some companies. American Airlines, which lost $18.2 million in 1982, won about $20 million worth of concessions from its pilots last August. But American narrowly avoided a strike last week when negotiators for 10,000 of the airline's ground workers decided to delay the walkout and ask for a membership vote. At Eastern, which lost $18.8 million last year, 13,500 mechanics and baggage handlers plan to walk off the job in March rather than accept new pay freezes.

Experts generally agree that a healthy economic recovery is what the airlines now need most. That makes signals like January's drop in the unemployment rate to 10.4% from December's 10.8% particularly encouraging. But far more evidence of a rebound will be needed before airline executives dare to think of breaking out the bubbly. Sighs William Berry, public relations manager for Delta Air Lines, which lost $85.6 million in 1982: "If the economy would make only a modest turnaround, this industry would do just fine."

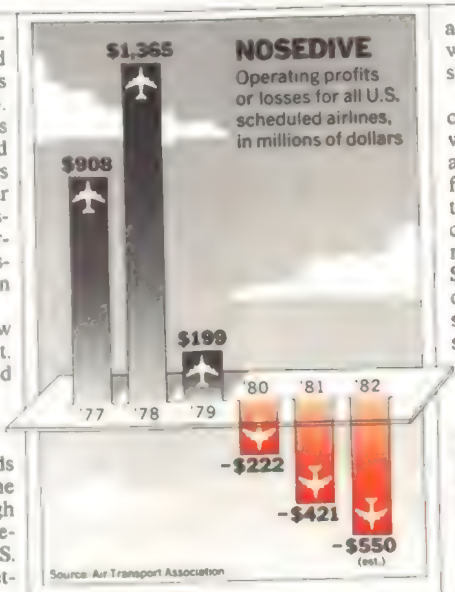
There seems little danger, in the meantime, of a quick truce in the fare



wars that have been such a boon to travelers and a bane to carriers. An estimated 80% of all passengers flew at discounts last year, at an average saving of 50%. Such bargains are likely to continue as long as the weakest airlines are tempted to cut prices to fill seats and competitors feel compelled to follow. Says Arthur Jackson, an American Airlines spokesman: "The leaders in discounts are airlines with severe cash problems. Discounting is a way of raising money in order to pay the bills."

Pan Am showed last week just how hard it can be to kick the discount habit. The airline, which set off the recent round of $99 fares by offering them on more than 40 of its U.S. flights in January, had planned to halt them Friday. But Pan Am executives changed their minds at the last minute, and decided to keep the $99 rate on most of the flights through March. The airline apparently did so because virtually every other major U.S. carrier is offering some form of $99 ticketing until the beginning of April.

Almost none would do so, however, were it not for the other guys. TWA pointed out with stunning clarity last week the damage that cheap rates can cause. In a prospectus for its stock offering, the carrier noted that competition has forced it to set fares throughout most of its system that are less than the cost of providing the seats. Adds Neil Effman, a TWA senior vice president: "If these discounts continue, there will have to be fewer carriers in the U.S. air transport industry by the end of the year." In a sense, that is an unspoken purpose of the discounting game: to force the weakest airlines to go bankrupt, leaving fewer seats and more customers for the survivors to share.



The discounting has become so frenzied and complex that even mainframe computers have trouble keeping the fares straight. Delta has more than 56,000 separate fares on the 2,700 routes it serves, and is working to untangle that price thicket. Western Air Lines, meanwhile, has simply given up. Chairman Neil Bergt has told ticket agents to match whatever fare a customer claims to be able to get elsewhere, once a computer confirms that such a rate exists.

The fare wars have ultimately been caused by the twin impact of deregulation, which brought price competition to the airlines and allowed nonunion upstarts to flourish, and the recession, which caused traffic to shrink. Result: too many seats chasing too few passengers. No-frills carriers like People Express *(see box)* and Southwest Airlines are thriving on the competition by holding down costs, but some other small airlines are being squeezed. Air Florida, which had helped spark an earlier round of discounting, lost $64 million in the first nine months of 1982 after Delta and Eastern began matching the fares on its expanding routes. Says Arthur Bass, chairman of Midway Airlines, a Chicago-based discounter that earned $4.5 million last year: "With excess capacity, the big airlines are out there to kill someone."

Discounts may shrink as the airlines recover, but bargain fares are likely to remain. "The American consumer is doing to the airlines what he has already done to the auto industry," says Julius Maldutis, an industry analyst at Salomon Brothers. "He buys only at discount." Concedes Delta's Berry: "Discount rates are here to stay, but they must also be realistic." Indeed, with a lot more realism and a little more luck, U.S. airlines may finally pull out of their financial nosedive and regain their cruising altitude. —***By John Greenwald. Reported by B.J. Phillips/Atlanta and Frederick Ungeheuer/New York***

How People Does It

One feisty little carrier with rock-bottom prices has more business than its reservations clerks can handle. At People Express, callers sometimes find themselves talking to President Donald Burr. No wonder Burr is glad to pitch in wherever he can: last month, People flew 357,000 paying customers, a whopping 146% increase over traffic a year ago.

In the 22 months since People Express started up, its home base—a former freight terminal—has become the busiest gateway at Newark International Airport, some 13 miles southwest of New York City. Flying passengers between cities from Boston to Palm Beach and as far west as Columbus, the pint-size airline earned a profit of $2.7 million in the first nine months of 1982, while the likes of Pan Am, Eastern and TWA were all showing losses. People's progress is mainly due to the lowest operating costs in the business, an average of 5.3¢ per seat per mile flown *vs.* up to 11¢ for other airlines. Says Burr: "We don't have any secret weapons. Our competitors can do it, and many of them are working day and night to get their costs down."

Burr, 41, formerly president of Texas International Airlines, gives much of the credit to his dedicated staff of 1,200 "race-horse types" who hire on for less and work hard. They have reason to: on the average, People Express workers own $20,000 worth of stock in the company. The one-time schoolteachers, anthropologists and art historians recruited by Burr seem to thrive in a company that has no secretaries or plush offices, and whose chief financial officer, Robert McAdoo, helps serve coffee on some flights. Says McAdoo: "We're all in this together."

KIM STEELE
President Donald Burr

Passengers seem to feel the same way. They do not mind paying 50¢ for a soft drink, or $3 for every bag checked. After all, there is plenty of room for carry-on luggage, and People's buy-while-you-fly on-board ticket sellers eliminate those long waits at airport counters. But it is the fares that clinch customers' loyalty. Eastern Air Lines, once the king of the New York–Florida routes, is scrambling now to hold on to the business. Reason: People's $69 one-way fare ($49 at night). Eastern, whose standard coach fares are more than $200 for those flights, has retaliated with a $72 fare, but only for a few seats on night flights out of Newark. Moreover, Florida-bound Eastern customers boarding at nearby La Guardia Airport pay more, mainly because People flights are not available there.

Thanks to People's competitive punch, the airline's stock has more than doubled, from 11 to 24⅝ per share, over the past year. Donald Burr may still be working seven days a week, but his 9% share of the company stock is now worth $17 million. And the customers keep coming out of the woodwork. Says Burr: "We're getting people who wouldn't have traveled to New York to see a show, or buy clothes. If they did, they would have driven or taken a train." These days, at least on People Express, it is cheaper to fly.

Golden Goodbye

Agee resigns from Allied

The courtship was brief and tumultuous. Not surprisingly, the marriage was on the rocks before it really got started. After eight days as president of the combined company formed by the merger of Allied Corp. and Bendix Corp., William Agee, 45, decided last week to resign, effective June 1. Reason: Allied Chairman Edward Hennessy would not give him major responsibilities. Said Agee: "I'm a realist. They're looking for a chief operating officer, and I wanted the job, but I'm no longer under consideration."

Agee and Hennessy were first thrown together in a fierce takeover fight last September. As chairman of Bendix, Agee tried to buy Martin Marietta Corp., but his prey decided to become the predator. To save Bendix from being bought by Martin Marietta, Agee turned to Hennessy, and after four whirlwind days of talks they agreed to merge. Agee got a promise that he would be president of Allied, but his future duties were not settled. Shortly after the merger was officially approved by stockholders a fortnight ago, Hennessy forced the resignation of Alonzo McDonald, who had been Agee's second in command at Bendix. Then Hennessy told Agee that Allied was looking for someone else to be chief operating officer, the second-ranking post, after chief executive.

Agee's resignation seems an abrupt setback in what had been a fast-track career. A graduate of Harvard Business School, he was only 39 in 1977 when he reached the top at Bendix, a manufacturer of machine tools and auto and aerospace parts based near Detroit. At the time, Bendix stock was selling for less than $40 a share. Under the deal Agee negotiated, Allied paid $85 a share. But if Bendix shareholders were happy, the board was less than delighted with the publicity fallout from Agee's relationship with Mary Cunningham, a top Bendix vice president who resigned in 1980 after rumors arose that she was having an affair with the boss. Though they denied having a romance at the time, the two married last year.

Agee's standing with Hennessy may have been doomed by a difference in style. While Agee enjoys the limelight, Hennessy is a low-key, no-nonsense executive. In December, Agee and Cunningham appeared in a PEOPLE magazine spread that included a picture of Bill on his knees before Mary. Asked about this by the *Wall Street Journal*, Hennessy said, "All I know is, I wouldn't do it." Cunningham is now a vice president for strategic planning at Seagram, the Manhattan-based liquor manufacturer. For the past eight months, she and Agee have been commuting between a suite in New York City's Helmsley Palace and a home in Detroit's northern suburbs, near Bendix.

Bendix's chairman on the day of the merger

A golden parachute worth $4.1 million.

Agee hardly has to worry about a job. He is a director of several corporations, including Equitable Life Assurance and Dow Jones & Co., publisher of the *Wall Street Journal*. At the time of the merger, his Bendix shares were worth about $1.4 million. In addition, unless shareholders sue successfully to stop him, he can pull the ripcord on a golden-parachute deal written into the merger agreement. It entitles him to receive his annual $825,000 salary for five years after he steps down, a plump severance package worth more than $4.1 million. ■

Japanscam

Hitachi pleads guilty

Last June, Hitachi Senior Engineer Kenji Hayashi and two colleagues walked into the Santa Clara offices of Glenmar Associates, purportedly a California consulting firm, to collect IBM documents giving crucial details of the company's newest computer technology. Hitachi had made payments totaling $622,000 to get the information. To Hayashi's surprise, he was confronted by a gaggle of FBI agents, who had set an Abscam-like trap to catch Hayashi and his friends.

In a federal court in San Francisco last week, Hitachi pleaded guilty to conspiring to transport stolen IBM secrets to Japan. The company was fined $10,000, Hayashi $10,000 and another employee $4,000. The $24,000 in fines struck some observers as a bit light. Conceding that the costs of setting up the Japanscam were far greater than that, Assistant U.S. Attorney Herbert Hoffman added: "But then we don't run criminal investigations on a cost-effective basis. Justice has been accomplished." Also, Hitachi is out of pocket considerably more than $24,000. The $622,000 that Hitachi paid Glenmar, an FBI front, is still in the U.S. Treasury. Federal authorities say they have no intention of returning it. ■

Halo Effect

The bull market at Sears

When Sears Roebuck & Co. acquired the brokerage house of Dean Witter Reynolds 13 months ago, the jeers from Wall Street could be heard as far away as Sears' Chicago headquarters. Old-line stockbrokers sniffed that well-heeled clients would not want to invest their savings with the same company that sold Craftsman power tools and Kenmore automatic washers. The giant retailer figured differently, and last July it opened Sears Financial Network outlets in eight of its 829 U.S. department stores to test the concept of selling "stocks and socks."

Though nobody is willing to pronounce the experiment a runaway success, the initial returns have been so bullish that Sears will open seven more financial branches this week in cities from Tacoma, Wash., to Tallahassee, Fla., and 18 more in May. The encouraging results added a glow to Sears' announcement last week that its overall profits rose 33% in 1982, to $861.2 million, on revenues of $30 billion.

To twit competitors, Sears officials delight in telling tales about high rollers who have sought out the financial centers, which also sell real estate and Allstate insurance. In Cupertino, Calif., a man walked into Sears and bought $3 million worth of securities. A Jacksonville, Fla., woman who received a Dean Witter flyer with her Sears charge-account statement responded with a $1 million check. Far more significant has been the amount of traffic attracted to the outlets, which, with potted plants and walnut desks, resemble suburban bank branches. The average broker has lured three times as many new accounts and booked triple the sales of his pinstriped counterpart in one of the 325 freestanding Dean Witter offices.

One reason business is good is that the store outlets are open nights and weekends, while conventional brokerage offices keep hours more akin to bankers'. The in-store units also seem to benefit from the "halo" effect of Sears' consumer reputation. Sears is trying to capitalize on this sturdy image with a new television advertising campaign for its financial centers that features Actor Hal Holbrook intoning, "Trust us to make it work for you." (Holbrook is also advertising for a Toledo bank, and last week it sued him and Sears for violating what it said was an exclusive contract in the Toledo area.)

Some dissenters believe it is too early to tell whether Sears' expertise in merchandising staples to Middle America can be transferred to Individual Retirement Accounts and commodity straddles. Still, other brokers are watching their local Sears stores and wondering how long it will be before the potted plants and walnut desks appear. ■

A $97 Billion Bailout Fund

Some IMF members want more, and Congress may balk

With several of the world's poorest nations on the brink of economic collapse, 22 finance ministers met in private sessions in Washington, D.C., last week to determine how much more money taxpayers in the U.S. and other countries will make available for a bailout fund. Late in the week, those ministers, convened as the Interim Committee of the Board of Governors of the 146-nation International Monetary Fund, made their decision known. Committee Chairman Sir Geoffrey Howe announced at IMF headquarters that the fund's lending authority to less-developed countries would be increased by about 47%, from $66 billion to $97 billion.

That fell far short of the 100% increase that ministers from some of the less-developed countries had favored. It also was slightly less than Japan and some of the recession-plagued European states thought was necessary. But the committee's decision was only the first step toward what promises to be an agonizing process of getting approval for the measure from the country where the IMF was born during World War II: the U.S.

Seldom has any IMF decision been so broadly controversial. The total U.S. share of the amount to be added to the fund would be $8.4 billion. The Reagan Administration, which last summer showed no enthusiasm for a sizable increase, has swung around and now strongly favors it. Treasury Secretary Donald Regan and other top officials are less sanguine than before that the world financial system can withstand major defaults from the debt-heavy developing world. But last week's proposals will face tough going in the U.S. Congress.

In the past, U.S. participation in IMF lending has been approved almost routinely, although not without more or less standard gripes from politicians who have reservations about most forms of foreign aid. But Congress will now be asked for support at a time when domestic unemployment is above 10%. Americans are suffering through the worst economic downturn since the Great Depression, and domestic industries are thought by some to need federal assistance.

Never before, it seems, have U.S. critics of IMF lending policies had so many arrows in their quivers. Any increase in the U.S. quota, they argue, would have to be borrowed in American credit markets, adding to the upward pressure on interest rates at a time when Treasury borrowings are already ballooning to finance record budget deficits. Opponents also see increased lending as little more than a sophisticated bailout for U.S. banks that lent billions of dollars, recklessly in the eyes of critics, to Third World governments and businesses. With prices of many commodities produced in developing countries depressed, those loans have become an enormous problem.

The acrimony at a House Banking Committee hearing last week was typical. Said Jim Leach, an Iowa Republican, to a group of bank executives: "Let's face it. You've screwed up." Accordingly, some legislators will insist that approval of the IMF measure be accompanied by legislation imposing new discipline on the banks. Among the provisions of a bill expected to be introduced this week are measures to limit the amount a bank can lend to any one country and to force banks to reserve more money for loan losses when foreign loans begin to sour.

The Administration's strongest spokesman is Treasury's Regan. He points out that the U.S. drew upon IMF resources 18 times in the 1960s and six times in the 1970s, for a total of $6.5 billion. Without U.S. support now, he argues, debtor nations stand no chance at all of repaying what loans they do have, trade will dry up, and even worse times will befall the world's economies.

Regan's chief point: unless the IMF provides money, private banks will sharply curtail their lending overseas and in the U.S., and that would spell disaster on a global scale. Whether the politicians like it or not, the bankers have reality on their side. Echoing Regan, Chase Manhattan Vice Chairman William Ogden said at last week's House hearing: "The IMF is not bailing out the banks. It's bailing them in." Help from the IMF is not a means of escaping risk, said he, only one of temporarily sustaining debtors until they can pay.

More money for the IMF is, in a sense, a "jobs bill," said George Clark, a Citibank executive vice president, because it will help strengthen foreign markets for U.S. producers. That argument might not sit very well with voters who do not see how money flowing from their pockets to far-off lands will help put food on their tables. ■

New Kind of Headache

After cyanide-laced Tylenol capsules killed seven people in the Chicago area last fall, the U.S. Food and Drug Administration passed tough new regulations requiring drug manufacturers to package their products in tamper-resistant containers. Now those safer boxes and bottles are turning up on store shelves across the country, and in some cases, companies have gone to extraordinary lengths in their zeal to protect.

As the maker of Tylenol, Johnson & Johnson had the most to gain by renewing consumers' trust. Before the murders, Tylenol had 37% of the $1.2 billion painkiller market; that share slipped to 7% during the scare, but has now rebounded to 24%. Tylenol's new wrapping offers triple protection: 1) the outer box is glued shut; 2) the cap and neck of the bottle inside the box are encased in a form-fitting shrink seal; and 3) an airtight foil seal covers the opening underneath. Like some other manufacturers, Johnson & Johnson says it has not raised prices to cover the extra 2.4¢ that these safeguards add to the cost of the package.

St. Joseph's Adult Maximum Strength Aspirin-Free Tablets now come in multilayered plastic sheets so tough that a consumer can get a headache just trying to pry one open. Other manufacturers have tried, not always successfully, to find the middle ground between safety and frustration. Bristol-Myers now packs bottles of Excedrin and Bufferin in little pull-top cans that look like baking-powder canisters. The company picked this approach, which will cost an extra 5¢ per package, after trying out 24 different methods. It found that consumers liked the idea that any tampering with the can is especially easy to spot. They also found it simple to open. Pretty simple, anyway. For klutzes, there is a diagram showing how to remove the top.

Some new drug packaging is so safe that it confounds consumers

Squeeze Play

Hyster's high-stakes auction

With just about everybody competing for factories that bring jobs, corporations ordinarily shop around for the best financial incentives before deciding where to locate. But Hyster Co., a forklift manufacturer based in Portland, Ore., has carried this game a step further and used it for decisions about existing plants. The result: a high-stakes game of musical chairs in which the stingiest locality loses its Hyster plant when the music stops.

Hyster (1982 estimated sales: $415 million) had spectacular growth in the 1970s before its business began to fall off. Like those of other heavy equipment makers, its profits have been shrinking because of Japanese competition and the slowdown in capital spending. Last year company officials decided that they had to cut capacity and modernize their aging factories. After winning $60 million in grants and tax abatements from the Irish government to open a plant in County Dublin, they decided to try some arm-twisting Stateside. Shunning pretense, Hyster applied for grants from five states where it already operates plants. The company warned that unless the states could come up with enough money, it might close some facilities.

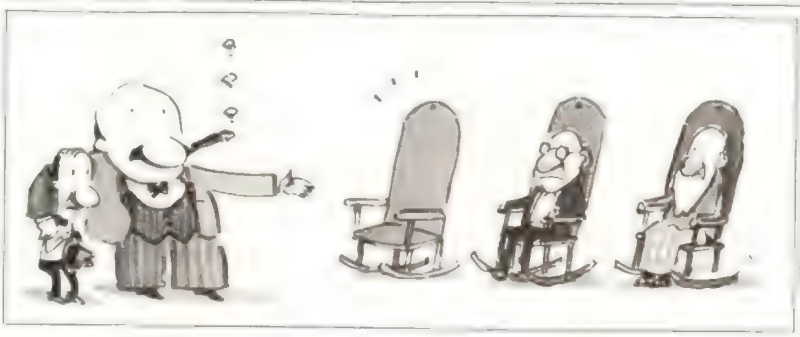
DAVID FALCONER

Kilkenny

The tactic worked. Illinois quickly promised $10.2 million in federal and state grants, and union workers offered $4 million more in concessions. Alabama Governor George Wallace told his state development office to "do whatever is necessary" to keep Hyster in the state. Officials in Kentucky huddled with the company to work out a contract.

But Oregon, Hyster's home state, balked. Said Governor Victor Atiyeh: "I had to control my anger." Replied Hyster Chairman William H. Kilkenny: "We are in a life-or-death struggle with Japanese manufacturers. What we are asking for is peanuts compared with what we're getting in other states and countries." Eventually Oregon offered to buy $20 million in Hyster preferred stock, and the local union proposed contract concessions worth $7 million. But Hyster, which sought an outright state gift of $5 million to $6 million, rejected the stock deal as "not meaningful," and claimed the union overvalued its offer.

Earlier this month, Hyster announced that the game was over, and Oregon had lost. "With great reluctance," said Kilkenny, Hyster would phase out a 53-year-old Portland plant, furloughing about 300 workers. In response to Hyster's ploy, the other states kept their plants when the music stopped but it cost them a cool $24.1 million. ■



Open Windows

Incentives to resign or retire

Thousands of employees at Eastman Kodak are seriously pondering whether they should quit their jobs. This wave of soul searching does not mean that morale or working conditions at the company have suddenly deteriorated. Employees are thinking about leaving because management is tempting them with severance payments as high as half their annual salaries. Employees who are 55 or older with 21 or more years of service will get, on top of the lump-sum bonuses, at least 55% of the pension benefits they were expecting at age 65.

Kodak is one of a growing number of recession-plagued companies that are trying to make their payrolls lean without being mean. Seeking to avoid demoralizing layoffs, many corporate managers are designing special incentives, sometimes called open windows, to recruit volunteers who are eager, or at least willing, to resign or retire. Most such offers are good for a limited time only, because the companies want to trim, not decimate, their staffs. Kodak's program began Jan. 4 and expires Feb. 28.

Kodak's open-window plan is similar to the efforts launched last year by Exxon and Du Pont. Hurt by falling profits, Exxon last summer sent letters to some 30,000 employees in divisions judged to be overstaffed, promising cash payments in exchange for resignations. Supervisors warned that layoffs might become necessary if not enough people quit. The company will not disclose the terms of the deals or how many workers accepted.

Du Pont has been much less secretive about the results of its staff-cutting drive. The company offered resignation bonuses, as well as early pension benefits for older employees, to the management staff at its Wilmington, Del., headquarters and workers at 38 of its 86 manufacturing plants nationwide. Some 18% of the 16,900 eligible employees took the money and left. Du Pont, burdened by interest payments on the $3.9 billion it borrowed to buy Conoco, estimates that the staff reductions will save the company $30 million over the next three or four years.

While Exxon, Du Pont and Kodak have offered resignation incentives to all age groups, other companies have focused on workers nearing retirement. Because these employees command the biggest salaries, their departure can generate the greatest savings. Ordinarily, workers are reluctant to retire early because they are not eligible for Social Security until age 62, and most early-retirement plans offer sharply reduced pension benefits. Now many companies are encouraging employees to leave by guaranteeing them monthly pension payments that come close to what they would have received, including Social Security, had they waited until standard retirement age.

In a study of 108 companies, Charles D. Spencer & Associates, a Chicago-based research firm, found that 27% were offering special incentives for early retirement. Among the corporations that have started such programs in the past two years: Polaroid, Deere and Xerox. A recent addition to the list is R.J. Reynolds, the largest U.S. tobacco company. In January, Reynolds offered pension benefits and a bonus of a year's salary to workers in its headquarters town of Winston-Salem, N.C., who by next year will be 55 or older and will have worked at least ten years for the company. Reynolds is concerned that its sales may drop because Congress doubled the federal excise tax on cigarettes to 16¢, effective last month.

A big drawback to offering resignation or early-retirement bonuses is that the company cannot control which workers choose to leave. Talented employees may go because they feel certain of finding other jobs, while deadwood workers, with no other employment options, may hang on. Polaroid, for example, suffered an unintended loss last May from its early-retirement plan. Richard Young, 56, who was Polaroid's $210,000-a-year director of worldwide marketing, "retired" with a hefty pension and later became president of Houghton Mifflin, the book publishers, at a slightly lower salary.

Nonetheless, Polaroid insists that it has few regrets. Says a spokesman: "We may have lost some good people, but we eliminated the need for a major layoff." More and more managers seem to agree that it is easier to let employees jump through open windows than to try shoving them out the door. ■

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It'll feel better in a Rabbit.

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Take a VW Rabbit through the same curves and you will think you are a Grand Prix driver.

Why does it feel better in a Rabbit? Because a Rabbit is a Volkswagen.

And Volkswagens are built to perform in a country where some roads are unblemished macadam masterpieces allowing unlimited speed, and others are little more than Eighteenth Century goat paths.

So every Volkswagen hands its driver the kind of sophisticated steering, brakes, and suspension geometry that is always envied, often copied, but seldom duplicated in any car at any price.

Why did we indulge in all this engineering wizardry in a car that's designed to go from point "A" to point "B" as cheaply as possible?

Just for the fun of it.

Nothing else is a Volkswagen.

Thou Shalt Not Go Public

The nation's lawyers cast a vote for client confidentiality

Over drinks, your client shares a disturbing bit of news. The bid you have been helping him prepare for construction of the new city hall is a sure winner because he has arranged to slip the mayor $10,000. You choke on an hors d'oeuvre, pondering the lawyer's age-old dilemma: what to do about a client who admits to being involved in an ongoing crime.

Under present ethical provisions in most states, an attorney might choose to persuade the client to abandon any unlawful scheme, or he might stop representing him. Finally the lawyer probably has the option of informing authorities about his client's plans without violating the rules of confidentiality. At the American Bar Association's midyear meeting in New Orleans last week, the policymaking House of Delegates was asked to approve new standards specifying situations that could call for such disclosure. Instead, by a surprising vote of 207 to 129, the delegates barred disclosure unless the crime is "likely to result in imminent death or substantial bodily harm."

To many the action looked unseemly. Said Phoenix Lawyer Mark Harrison: "This vote will enhance the mouthpiece image for which many lawyers are known." Next day, as if to make amends, the delegates, by a 2-to-1 margin, embraced a newly explicit requirement: a lawyer must reveal perjury committed by his client in court. "The two votes were as inconsistent as they could possibly be," said Hofstra Law Professor Monroe Freedman, an ethics expert who believes in strict confidentiality. "I think the second vote was, more than anything else, an image vote."

The delegates' actions last week were a dispiriting setback for an A.B.A. commission that has been working since 1977 to reshape the association's 14-year-old code of ethics. While the revisers probably will succeed in eliminating much of the confusion in the current code, which in many instances seems to offer two different standards of conduct, their further goal of heightening a lawyer's duty to the public is now out of reach. The rules approved in New Orleans are likely to be formally ratified by the A.B.A. in August, and will serve as a new model for states to adopt.

DRAWING FOR TIME BY CHAS B. SLACKMAN

The disclosure debate went to the very heart of what a lawyer should be. The responsibility to be honest with others is the higher value for reformers. Boston Attorney Robert Meserve, who became chairman of the ethics commission after the death last month of Omaha's Robert Kutak, noted that lawyers have been able to (and still can) disclose confidential information from a client in order to recover a fee. But to Theodore Koskoff, past president of the Association of Trial Lawyers of America, "The philosophy of the proposed code was wrong. The thread that ran through it was of looking at a lawyer not as a champion but as an ombudsman." The adversary system would be undermined if a client hesitates to tell his lawyer the truth, argues Leon Silverman, president of the American College of Trial Lawyers. "It isn't that we want anyone to get into bed with criminals. We are trying to protect one of the great interests of society."

Though the debate occupied most of the delegates' energy and time, ethics was not alone on the agenda. Attention was also given to the Supreme Court's work load *(see box)* and the campaign to limit the insanity defense. In most states, a defendant may not be convicted if he is unable to tell right from wrong at the time of the crime or if he was subject to an irresistible impulse. The delegates voted to urge states to retain the first but eliminate the second as a ground for acquittal. Sponsors of this "compromise" said that had it been the law under which John Hinckley was tried, he would probably have been convicted. ■

Once More, with Feeling

Chief Justice Warren Burger began his speech with an analogy to "the early pioneer who, looking out the window of his log cabin, saw a pack of wolves." The pioneer, said Burger, could cry "Wolf!" without apology, and so too, argued the Chief, can the overburdened U.S. Supreme Court. During the past 30 years, the number of cases on the high court's annual docket has nearly quadrupled, from 1,463 to 5,311, by Burger's count, and the total of signed court opinions has jumped from 65 to 141. Warned Burger: "It is perhaps the most important single, immediate problem facing the Judicial Branch." Only fundamental changes will "avoid a breakdown of the system—or of some of the Justices."

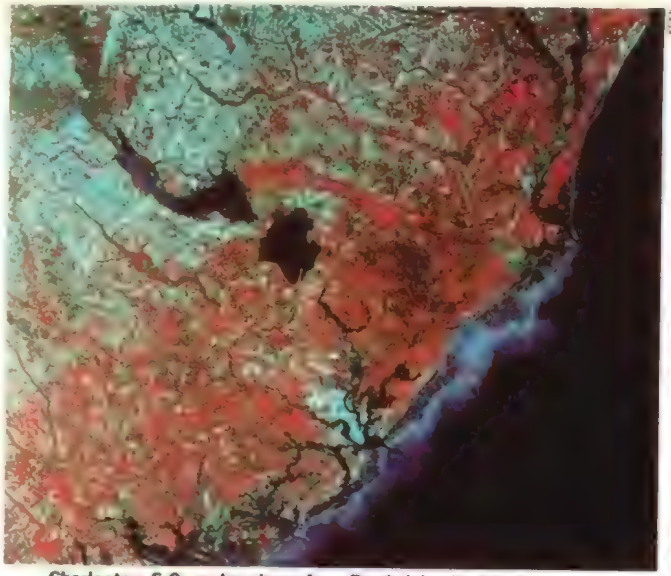
The nodding in the audience at the American Bar Association meeting last week signaled not only widespread sympathy but weary familiarity. Ever since he became Chief Justice nearly 14 years ago, Burger has been arguing that the high bench is overworked, and only hours before, Justice Sandra Day O'Connor had become the sixth court member publicly to sound an alarm.

Chief Justice Burger

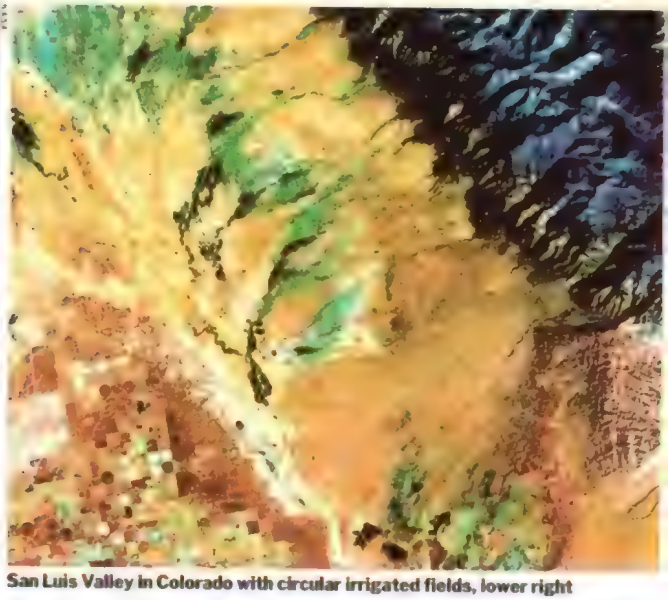
This time around, Burger seems ready to push harder. For the first time he urged a specific solution: that Congress create, on an experimental basis, a new tribunal just below the Supreme Court to handle cases that would resolve conflicting rulings among any of the 13 U.S. appeals courts. Perhaps one-third of the cases heard by the high court fall into that category. The proposed court would have rotating seven- or nine-judge panels drawn from a pool of 26 appeals court judges. It would expire after five years, though if the review court proved a success, Congress could make it permanent. Moreover, before he spoke, Burger had done some lobbying of his own. He consulted with Democratic Senator Howell Heflin of Alabama, a former chief justice of his state's supreme court; two weeks ago Heflin reintroduced legislation that would authorize the kind of court that Burger wants and that would also create a commission to look into problems facing the nation's courts. Despite last week's stirring, however, it remains to be seen whether, unlike the fable, crying wolf long enough will bring help.

Reach out and touch someone.

Bell System



Charleston, S.C., and environs from Parris Island to Myrtle Beach



San Luis Valley in Colorado with circular irrigated fields, lower right

Science

The Earth in Living Color

As Landsat 4 struts its stuff, a debate arises about its future

With their splashes of strong color and rectilinear features, they look like the canvases of a painter. In fact, the pictures are a new form of art, of the high-tech kind. Photographed from 440 miles out in space, they are views of the earth by the U.S.'s newest and most versatile earth-observing satellite, a multieyed robot called Landsat 4. Launched last July, it has been faithfully circling the globe, swinging from pole to pole and back again once every 98.9 minutes, taking electronic shots of every spot on the planet, except a small region around the poles. These images are a source of information about crops and forests, oceans, mineral resources and the atmosphere.

On Jan. 31, NASA turned over formal control of the Landsat program to the National Oceanic and Atmospheric Administration, an arm of the Department of Commerce, which also runs the U.S. weather satellites. Last week NASA officials released a portfolio of Landsat images, three of which are shown on this page. As NASA's Landsat program manager, Harry Mannheimer, put it, "We can look down through a column of air and see the world."

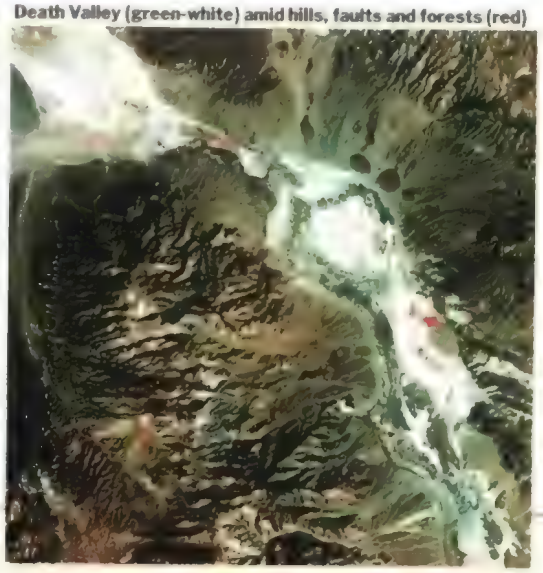
Unlike spy satellites, such as the Pentagon's Big Bird or the Soviet Union's ill-fated Cosmos 1402, Landsat is not designed to ferret out hidden missiles, spot military movements or read the license plates on Kremlin limousines. Its strength lies in its ability to record panoramic views of large swatches of the earth in a multiplicity of colors, some of them beyond the range of human vision. Returning to the same site every 16 days, it can sound the alarm to changes in the health of crops, spot flows of pollutants into bodies of water, or track sulfur-laden clouds from fuming volcanoes.

Landsat's electronic eyes scan patches of the earth's surface 115 miles square, one after another. (It takes 30,000 images to show the entire planet.) The satellite views each square in different colors, some seven different wave lengths in all, including several "invisible" infra-red frequencies. The images are sent as a stream of radio signals to earth stations, where they are assembled by a computer into full pictures. In many instances, scientists arbitrarily choose the final colors to represent a specific condition; for example, blazing red might indicate healthy crops, while black would mean ailing ones.

To help Third World countries put Landsat data to good use, the U.S. has trained some of their citizens to read the photographs and helped them erect ground stations to receive data directly. The Brazilians have used Landsat to reroute segments of their trans-Amazon highway around swamps and other obstacles. Anyone can purchase the photographs. Even the U.S.S.R. and China have bought them, sometimes of each other's terrain. Indeed, the program has been so successful in spotting resources—copper deposits in Pakistan, tin in Bolivia—that some nations have condemned the orbital photography as economic spying.

Landsat's future is uncertain. The Reagan Administration has refused to launch additional Landsats (cost: $300 million each) beyond one satellite in 1985, when the current instrument is expected to cease functioning. The President wants commercial interests to take over Landsat as well as the nation's weather satellites. Critics point out that private operators would be working with a huge built-in subsidy. More than half of the Landsat output has a guaranteed buyer: the U.S. Government. Meanwhile, France, the Soviet Union and Japan are planning to launch earth-resources satellites, competing in the same market as the U.S. for customers who want dazzling pictures from space. —*By Frederic Golden. Reported by Jerry Hannifin/Washington*

Death Valley (green-white) amid hills, faults and forests (red)



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Press

Old and new: cover from November 1933, left, and the revival by Artist Milton Glaser

Resurrecting a Legend

Condé Nast brings back Vanity Fair*—but not entirely to life*

Among the voluminous ranks of bygone American magazines, few are recalled as wistfully by readers as *Vanity Fair*, the raffish, snooty cultural monthly that blossomed in the optimism of 1914 and withered in the middle of the Depression in 1936. *Vanity Fair* never reached more than 99,000 buyers, and it reportedly lost money for Publisher Condé Nast (1873-1942) in all save one of its 22 years. But it featured writing by Thomas Wolfe, T.S. Eliot, Dorothy Parker and P.G. Wodehouse and photographs by Edward Steichen and Alfred Stieglitz. In an indulgent appraisal in 1960, Cleveland Amory contended that *Vanity Fair* had been "America's most memorable magazine."

The memory was particularly strong at the Condé Nast company; it is the nation's sixth largest magazine group (1982 advertising revenues: $180 million), and has been a leader in an industry-wide trend toward seeking the affluent, educated readers whom advertisers covet. Condé Nast is noted primarily for magazines about fashion and fitness (*Vogue, Gentlemen's Quarterly, Self*), but company executives believed that a cultural magazine could have even greater appeal "upscale" and invested as much as $15 million to develop the idea. Next week 732,000 copies of the first *Vanity Fair* in 47 years will be sent to newsstands and more than 600,000 charter subscribers.

Condé Nast officials insisted when announcing the revival: "You will not find a more handsome, readable magazine in America." That boast prompted high, perhaps unreachable, expectations. The first issue is certainly lavish (290 glossy pages) and diverse. To accompany an entire short novel by Gabriel García Márquez, winner of the 1982 Nobel Prize for Literature, the magazine bought rights to a dozen new paintings and drawings from celebrated fellow Colombian Fernando Botero. There are lively, offbeat articles: Gore Vidal reporting from the Gobi Desert, Paleontologist Stephen Jay Gould speculating on why .400 hitters have disappeared from baseball. More predictably in a culture magazine, there are discerning reviews by Novelist Robert Stone of Joan Didion's Latin American reportage in her book *Salvador*, and by Staff Editor Walter Clemons and Los Angeles *Times* Music Critic Martin Bernheimer of Wagnerian opera productions for film and television.

First issues are often erratic; the new *Vanity Fair* is eccentric. It has not found its personality. A profusion of thick dividing lines and varying column widths fight to keep a reader's attention from straying to the words. The writing often reflects a lack of firm editing. Short reviews offer mostly glib opinion with scant analysis; the writers, moreover, apparently believe that if one metaphor per sentence is good, several are better, even if contradictory. A rambling rumination on "an American loss of nerve" by former New York *Times* Critic John Leonard has, aptly, a running leitmotiv of Japanese fog. In other articles, the language is occasionally odd, opaque, even incorrect.

Editor in Chief Richard Locke, 41, former deputy editor of the New York *Times* Book Review, and his 30-member staff have shown good taste in selecting writers and artists. But the first issue of *Vanity Fair* does not seem to have a point of view, which may leave readers puzzled as to what the April issue will offer. Part of the problem is that the inaugural is stacked up against some of the best of a vaunted parent. The liveliest bit of journalism in the new magazine is a portrayal of Malibu Beach by James M. Cain. It was first published—in *Vanity Fair*—in 1933. ■

Guide Under Fire

CBS attacks an attacker

TV Guide, the nation's largest weekly (circ. 17.5 million), has long been known as something of a cheerleader for the industry it covers. For the past few years, however, *TV Guide's* editors have been trying to introduce a brand of muckraking to their pages. Last May the magazine exposed what CBS News later acknowledged were journalistic violations in a network documentary, aired in January 1982, that assailed the Viet Nam War conduct of General William Westmoreland. Last week, however, *TV Guide* found itself fending off charges of inaccuracy and unfairness, made by CBS, among others, against an article in its Jan. 22 issue.

In a survey titled "Rating TV's Investigative Reporters," Staff Writer Mark Ribowsky, 32, asserted that *60 Minutes* co-workers of CBS News Correspondent Ed Bradley regard him as "shallow" and "impossible"; Ribowsky also accused Bradley of "logging few hours on location" and "demanding a writer's credit for superficial script editing." Bradley denied the charges, and specifically claimed that he spent nearly half of last year out of New York City reporting stories. Said Bradley to TIME: "It was a bunch of lies." The purported criticisms from colleagues, all made in unattributed quotes, were contradicted in separate letters to *TV Guide* by: Executive Producer Don Hewitt and Correspondents Harry Reasoner, Morley Safer and Mike Wallace; David Burke, a former *60 Minutes* producer now working for rival NBC; and 16 staffers at *60 Minutes*, who said that Ribowsky did not interview any of them.

CBS was not alone in complaining. ABC Senior Producer Richard Kaplan contended that Ribowsky had misattributed to Kaplan some disparaging remarks about ABC Correspondent Bettina Gregory; *TV Guide* admitted, in a footnote to Kaplan's letter published two issues later, that he was right. Nonetheless, insists *TV Guide* National Editor David Sendler, "We stand by our story." The magazine did not, however, stand by Ribowsky; he was dismissed. Explained Sendler: "There were internal problems with his journalism." Ribowsky blames *TV Guide* researchers for the misattribution, and insists that the reporting about Bradley was accurate. Says Ribowsky: "They hired me to put a tougher edge on their stories, and when I did it they cut the limb off." ■

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The Archbishop of Canterbury speaking during the Church of England's debate

Religion

Anglicans and the Bomb

General Synod gives cautious approval to nuclear deterrence

"This debate is about the end of the world and about how we may best delay it." So said Stuart Blanch, the Archbishop of York, last week as the Church of England became the latest denomination to struggle with the morality of nuclear deterrence. British clergy judged the General Synod's deliberations to be the church's most important debate on public policy since World War II. The meeting occurred in Church House, adjacent to Westminster Abbey, where Parliament met in 1941 after German bombers had damaged the House of Commons.

At the climax of the nationally televised debate, which lasted nearly five hours, the bishops, priests and lay delegates to the General Synod rejected, 338 to 100, a proposal that the church endorse unilateral disarmament. The alternative pro-deterrence motion that carried the day, 387 to 49, was offered by the Bishop of Birmingham, Hugh Montefiore.

Montefiore put the Christian's moral dilemma in succinct terms: "For the deterrent to be credible, we must be prepared to use it. But to use it would be catastrophic and immoral. The objection is formidable, but not overwhelming. If it is effective, [the force] will deter and never be used. That is the justification. To be determined to use it in response to nuclear attack has ensured so far, and I believe will continue to ensure, that there is no nuclear aggression."

While backing Britain's nuclear arsenal as a means of preventing war, the church delegates also decided that the first use of nuclear weapons could never be justified, even though the threat to do so is part of NATO's policy to discourage a Soviet conventional attack. The church's final statement also called for multilateral nuclear disarmament.

The opposing view was advanced by a six-member "working party" of the church in a report that had added to the growing national debate on the subject when it was released last October. The panel, led by Bishop John Baker of Salisbury, called upon the government to abandon its nuclear arms. Reason: nuclear war is so potentially disastrous that disarmament is worth even the risk of "blackmail and defeat" by an enemy.

In his speech to the synod, Baker attacked as a fallacy "the belief that mutual nuclear deterrence is a reasonably stable condition and likely to remain so." On the contrary, he said, "the overwhelming evidence is that it is becoming less stable year by year, and so less plausible as a means of keeping the peace."

The most dramatic response to Baker was delivered by Robert Runcie, the Archbishop of Canterbury, Primate of all England and spiritual leader of the world's 65 million Anglicans. Runcie, who won the Military Cross for valor as a lieutenant in a Scots Guards tank battalion during World War II, contended that unilateralism would "undermine" disarmament negotiations in Geneva and have a "traumatic effect" on NATO, which he credited with establishing "the peace and stability of Europe" since World War II.

"I cannot accept unilateralism as the best expression of a Christian's prime moral duty to be a peacemaker," declared Runcie. The delegates, who cried out "Hear, hear!" during the speech, went on to endorse his view as the Anglicans' contribution to the deepening, worldwide debate on nuclear morality. ■

Milestones

EXPECTING. Mary Steenburgen, 29, Academy Award–winning actress (*Melvin and Howard*); and her husband, **Malcolm McDowell,** 39, actor (*A Clockwork Orange, Cat People*); their second child; in July.

MARRIED. David Stockman, 36, number-crunching Director of the Office of Management and Budget, and **Jennifer Blei,** 28, IBM sales representative; both for the first time; in Washington, D.C. Stockman will not handle the family budget, he says, because "I tend to round off numbers to the nearest billion dollars, and Jennifer says I lack sufficient attention to detail."

RECOVERING. Gary Coleman, 15, cheeky child star of television's *Diff'rent Strokes* from an abscess around the site of his 1973 kidney transplant; in Los Angeles. The problem was discovered while he awaited a second donated kidney; the first is failing. Coleman suffers from nephritis, a congenital kidney ailment, and until a year ago took drugs that inhibited the disease (and stunted his growth; he is now 4 ft. 2 in.). When he is well enough, he will try again for a new transplant.

DIED. William L. Cary, 72, principled, tough-minded chairman (1961-64) of the Securities and Exchange Commission and professor of corporate and tax law at Columbia University; of cancer; in New York City. Cary spurred the then sleepy SEC into increasing its enforcement powers and tightening insider trading rules. His 1963 study of securities markets led to sweeping changes, including the eventual demise of fixed commissions.

DIED. S. (for Selwyn) **Kip Farrington,** 78, gentleman sportsman who wrote about his hobbies of deep-sea fishing, amateur hockey and railroading in 24 books and as *Field and Stream's* salt-water-fishing editor for 35 years; in Southampton, N.Y.

DIED. Alfred Franz Wallenstein, 84, the first nationally renowned U.S.-born conductor, who raised the Los Angeles Philharmonic to the top ranks as its music director from 1943 to 1956; in New York City. A child prodigy who played cello on the vaudeville circuit to help pay for his music studies, he conducted his Sinfonietta on the Mutual Network from 1933 to 1945.

DIED. James Hubert ("Eubie") **Blake,** 100, durable ragtime composer and lyricist (*Charleston Rag* and *I'm Just Wild About Harry*); just five days after his centennial, following a bout of pneumonia; in Brooklyn. A onetime bordello pianist and a contemporary of Scott Joplin, Blake electrified Broadway in 1921 with his music for *Shuffle Along*. For the next 25 years the modest, unassuming composer enjoyed steady success before sliding into semi-obscurity. His music was rediscovered in the '60s and eventually celebrated in such Broadway shows as 1979's *Eubie!*

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Choosing Up Sides at Auburn

The debate sharpens over President Funderburk's policies

"We have an all-out family feud here, and in a family feud there are no winners," says William Godwin, student-body president. "The loser will be Auburn University."

The bitter feud that has split one of the South's best-known institutions of higher learning swirls around President Hanly Funderburk, 51, who took office in April 1980. Funderburk's policies have sapped morale, antagonized many members of the faculty and administrative staff, raised the specter of political control and brought into question the mission of the 127-year-old institution in the Alabama town that bears its name. Three vice presidents have resigned in protest, and the faculty has twice passed no-confidence votes against the president, the last by a 3-to-1 margin. In November, Funderburk refused the faculty's request that he step down. Matters worsened last week with the resignation of Wayne Flynt as chairman of the history department. Three days earlier, Gerald Johnson had quit as head of the political-science program. Said he: "I know that I could not in good conscience and integrity tell a young faculty member that Auburn is the place for you in your professional future."

Funderburk meeting the press after a board of trustees meeting last month

A struggle between academics and politicians over the university's direction.

At the heart of the dispute is a struggle between academics and politicians over the direction and emphasis of education at Auburn. The majority of the faculty is convinced that Funderburk, with the backing of most of the school's board of trustees and the support of the Alabama Farm Bureau, intends to concentrate the school's resources on agriculture and engineering at the expense of the liberal arts and sciences. Auburn has placed strong emphasis on instruction in agriculture and engineering since 1872, when it became a land-grant college. Over the years, though, its mission broadened. Today, Auburn is a comprehensive university, with 23,000 students, that offers doctoral programs in 40 disciplines.

The fight centering on Funderburk is not so much over what he has done as it is over what his opponents on the faculty fear he and the board may do in the future. Funderburk's critics see ominous portents in the fact that he has created a vice presidency for agriculture, home economics and veterinary medicine. Taylor Littleton, a professor of English who resigned last year as the vice president for academic affairs, feels that the president has a "narrow, provincial" view of the university's role.

Raised in rural Pickens County, Funderburk earned a master's degree in botany from Auburn and a doctorate in plant physiology at Louisiana State University. He had taught at Auburn since 1961, and in 1968 was named head of the school's branch in Montgomery. Faced with a budget crisis when he became president three years ago, Funderburk promptly infuriated many faculty members by tightening accounting procedures in the library, forcing the cancellation of one-third of its periodical subscriptions. When the faculty protested the reduction, charges History Professor Donathan Oliff: "We got the response that the library is no more, in terms of priorities, than buildings and grounds." Another sore point: a Funderburk aide suggested that faculty members granting interviews to the press report the "nature of such conversations" to the director of university relations. To most of the faculty, that sounded like censorship. Funderburk's problems have also been complicated by his style of working with a small group of loyalists and his exhortatory manner.

Funderburk, who maintains that he has no plans to cut back the liberal arts, argues that the budget crunch forced economies in all areas and that the library bore its fair share. He has since secured $300,000 in additional funding for the library. "I shifted the emphasis to salaries and keeping as many people as I could," he says of his general philosophy. Indeed, under Funderburk, no one on the teaching staff has been laid off because of a lack of money. Funderburk claims that his efforts to strengthen the agriculture and engineering programs are simply a response to growing interest in those fields.

Funderburk's aggressive approach is defended by some members of his cadre of supporters on the faculty. Declares Sociologist Arthur Wilke: "I have found him receptive and capable of distinguishing issues from personalities." Says Funderburk of the criticism of his style: "You don't make people happy trying to solve the kinds of problems we face. But strong leadership was what was needed, and that is what we tried to provide."

Last month the university's board of trustees tried to still the uproar over Funderburk by putting him in charge of a new administrative organization for the university's two branches, but placing day-to-day operations at the Auburn campus into the hands of a chancellor. That official, however, will report to Funderburk. The solution has only reinforced the faculty's fears. Its main proponent was R.C. ("Red") Bamberg, 71, vice chairman of the board and a major figure in rural Democratic politics and the Alabama Farm Bureau. Bamberg, who has served on the board since 1956, was nominated last month by Governor George Wallace to a new twelve-year term. Wallace, who is regarded by the faculty as being pro-Funderburk, also failed to renominate Lawyer Robert Harris for another term as trustee. Harris has been opposed to retaining Funderburk as university president.

While the furor grew last week, the student newspaper the *Plainsman* proposed its solution to the crisis: "No more long-winded analyses on the controversy. Dr. Funderburk, for the good of Auburn University, please resign." But President Funderburk, saying he is indeed acting for the good of the university, insists that he will stay. —*By Anastasia Toufexis.*

Reported by Joseph N. Boyce/Auburn

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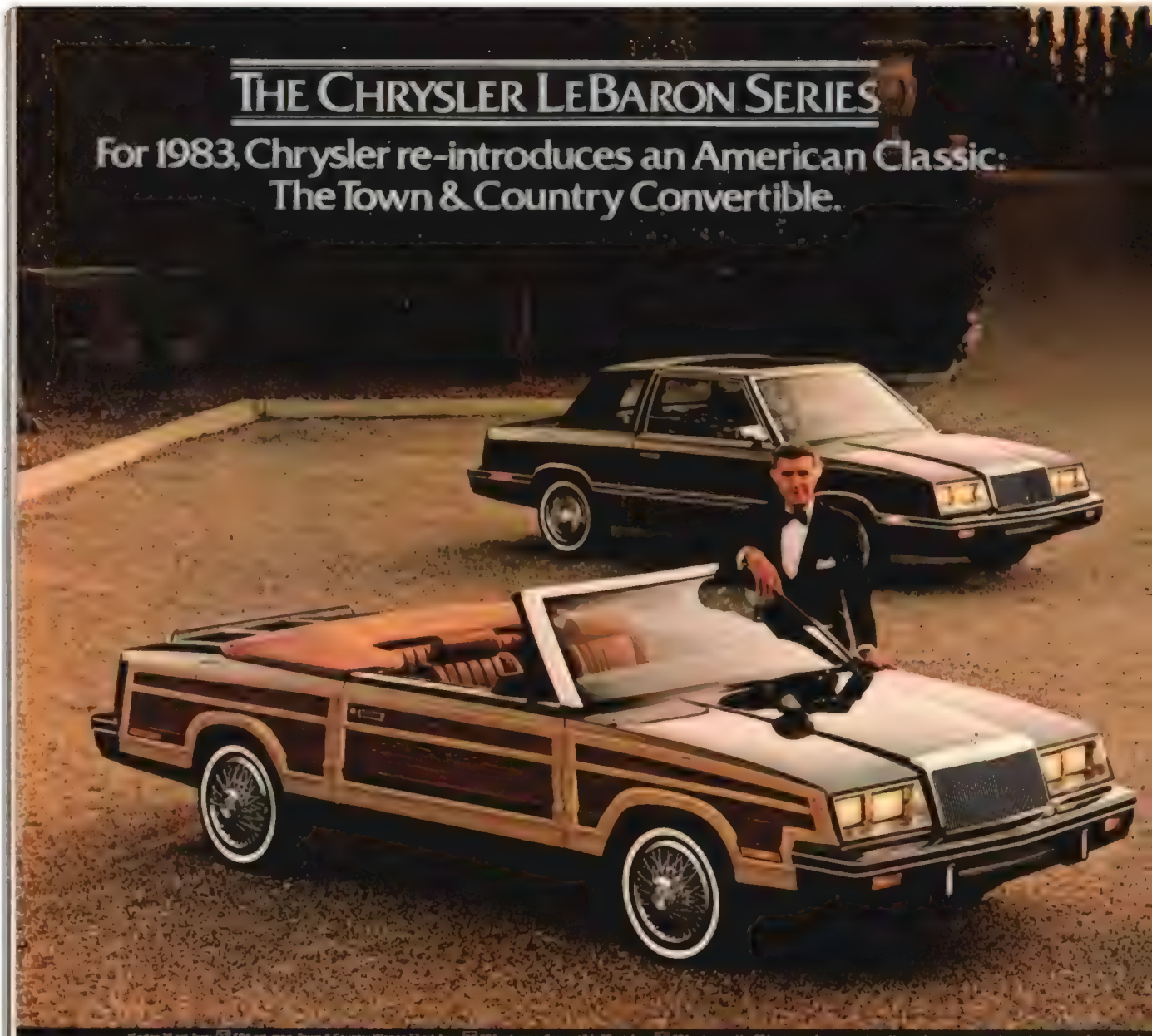

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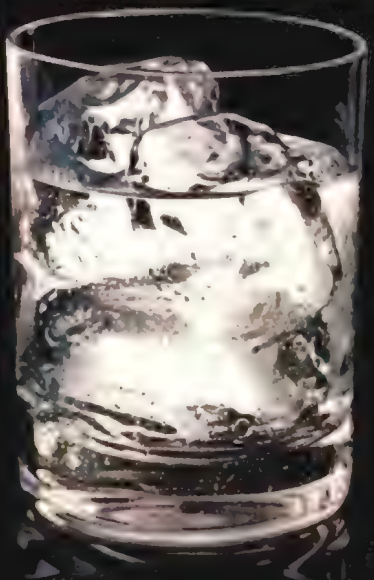

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Cashing in on weak currency: tourists take the measure of the ruins at Tulum

Mexico's Peso Paradise

Devaluation brings vacations that cost less than staying home

After waking up in a clean, comfortable, $7-a-night hotel room in Mexico City, the young couple from Kansas City ate a four-course breakfast that cost them 70¢ each and then took a 1¢ bus ride downtown for a morning of sightseeing. Bob and Rhonda Sparks spent $2 for a spicy three-course lunch near the Palacio de Bellas Artes and realized that "the amount of money we brought down here for two weeks could last half a year." At the delightful little Hotel Montejo in Mérida, Ted Mills and Jill Heizman of Santa Cruz, Calif., paid only $5.50 a night, about the average price they encountered during a month-long tour of Yucatán. Such bargains are all the more remarkable considering that this is the peak of the Mexican tourist season.

Exhilarated vacationers can be spotted from the Mayan ruins of Tulum to the bikini-bright beaches of Puerto Vallarta. Since Dec. 20, when devaluation of the nation's currency more than doubled the purchasing power of the dollar, from 70 to 150 pesos per $1, Mexico has become what one tourist industry executive calls "the travel bargain of the century." Says Bronnie Kupris, president of Manhattan's Asti Mexico Tours: "Our volume is up 400% over last year." New York–based Alexander Charters sold 2,100 airline seats to Mexico from January to Easter last year; so far this year, halfway through that period, the company has sold almost 6,000 seats.

Package tours, as always, are the best buys. American Express has been offering seven-night stays in economy-class hotels in Acapulco or Cancún for $99, not including airfare. Mexico Travel Advisers (M.T.A.), the largest U.S. wholesaler of package tours to Mexico, can fly the vacationer from Los Angeles or San Diego to Mazatlán and back, put him up at a good hotel for a week and include sightseeing and airport transportation for $236. Los Angeles residents can get away even more cheaply by driving to Tijuana (about 2½ hours) and flying on to their holiday destinations from there; a one-way coach ticket from Los Angeles to Acapulco, for example, costs $242, while the Tijuana-Acapulco flight costs only $94.

Among the greatest bargains are restaurant meals. Marisqueria del Perro Andaluz, an outdoor café in Mexico City's chic Zona Rosa, charges $8 a person for a three-course dinner. Maine lobster flown into Mexico costs around $6, less than in Maine. At a Burger Boy outlet, tourists hungry for the discomforts of home can get a double hamburger, French fries and a Coke for less than $1.

High-quality Mexican leather goods are a particularly choice buy: handmade boots for $20, handbags from $15 up. Exquisite native handcrafts cost so little that five Continental Airline stewardesses flew to Mexico City this month just to shop for items like black Oaxaca pottery vases for 23¢ each. Olinola lacquer boxes, with their distinctive red-and-black animal designs, sell for as little as $2.50; designer clothes and auto rentals can also be very cheap. A cab ride across downtown Mexico City costs $1.

Boom-time vacations may not be all tequila and roses. At the beach resorts, where most American tourists are headed, hotels are chronically overbooked; even at the best places, visitors may find on arrival that there is no record of their reservations. Mexico's internal airlines are jampacked and erratic, and there can be a wait of several days for a rental car.

An even less attractive aspect of the bonanza is the double-rate system practiced by some hotels: one rate (low) for Mexicans and another (high) for foreigners. For example, the Holiday Inn in Ixtapa last week was officially charging $60 a night for all guests, but a Spanish-speaking TIME correspondent was twice quoted the much lower figure of $37.50. The government is trying to police the industry. A senior official promised, "The Secretariat of Tourism is now very clearly insisting to hoteliers and all tourism-related services that prices be quoted in pesos and then converted to the equivalent in dollars at today's rate. If you just come and pay in dollars at whatever rate they give you, you will be saving money. That's the message."

While North Americans scramble to take advantage of the devalued peso, some segments of the U.S. economy are suffering. Colorado ski resorts and Beverly Hills boutiques are missing big spenders from Mexico, whose style has been crimped by the stringent curbs placed by the Mexican government on foreign financial dealings. In Vail, Colo., for example, where Mexicans own as much as 10% of the real estate, their inability to exchange pesos for dollars has reduced the market for expensive condominiums. In La Jolla, Calif., there has been a rash of defaults by Mexicans who can no longer meet their mortgage payments. The South Texas real estate market, once a favorite with Mexican investors, has been particularly hard hit. Construction of an office tower in San Antonio has been stalled, and investments in the South Padre Island resort have been reduced to a trickle. *—By Michael Demarest. Reported by David Hesseldel/Mexico City*

Worshiping the sun is a bargain at Cozumel

Post-Punk Apocalypse

In United States, *Laurie Anderson creates an art for the '80s*

"I met this guy," Laurie Anderson is saying, in a flat but mellifluous Midwestern voice, suggesting unexpected hospitality amid cold, wide-open spaces. "And he looked," she continues, "like he might have been a hat-check clerk at an ice rink." She is onstage, a post-punk dream clad in black satin, electric-pink socks the only splash of color. "Which, in fact, he turned out to be." Her hair is short, spiky, capping a high-cheekboned, all-American visage. An organ chord swells in the background. "And I said, 'Oh boy. Right again. Let x *equal* x.*' " Behind her, a small rock band plays softly. "It's a sky-blue sky," she says. "Satellites are out tonight. Let* x *equal* x."

TOM RAVAGLIA

The artist at work: black satin, spiky hair and a talking violin

"It's a sky-blue sky. Satellites are out tonight. Let x *equal* x."

The images are familiar yet disturbing, snapshots from a country of the mind. Welcome to Laurie Anderson's *United States, Parts I-IV*, given its full-length premiere last week at the Brooklyn Academy of Music. Part narrative epic, part rock opera, part home movie, *United States* is a sharp-eyed, sharp-tongued, aphoristic examination of 20th century life in 78 segments, lasting six hours and taking two evenings to perform. Wagnerian in its scope, Carrollian in its absurdist wit, Carsonian in its deadpan, stand-up-comic timing, Anderson's work is the biggest, most ambitious and most successful example to date of the avant-garde hybrid known as performance art.

"I think of the work I do as a kind of opera," says the petite, fine-boned Anderson, 35, and in a sense it is. With its roots in movements as disparate as Dada and the '60s happenings, performance art may be described as the 20th century equivalent of 16th century Florentine opera, an attempt to fuse many diverse art forms into a new, coherent whole. In her loft in lower Manhattan, Anderson, the object of a cult following since the mid-'70s, has been working on *United States* for four years. *O Superman*, a song included on her first commercial album, *Big Science*, has sold nearly 800,000 copies worldwide, and went to No. 2 on the British pop charts in 1981. With *United States*, which tours Europe beginning this week, she may enter the cultural mainstream. In its quirky combination of wry humor and looming menace, Anderson's is an authentic voice of America in the '80s.

"I came home today, and I opened the door with my bare hands. And I said, 'Hey, who tore up all my wallpaper samples? Who ate all the grapes? The ones I was saving.' And this guy was sitting there, and I said, 'Hey, pal! What's going on here?' And he had this smile, and when he smiled he had these big white teeth like luxury hotels on the Florida coastline. And when he closed his mouth it looked like a big scar. And I said to myself, 'Holy smokes—looks like some kind of guest-host relationship to me.' "

Raised in Glen Ellyn, Ill., a Chicago suburb, Anderson first studied the violin but decided to major in art history at Barnard College in New York City. Influenced by minimalists like Sol LeWitt, she tried her hand at sculpture. In the '70s, Manhattan galleries also featured musicians like Minimalist Composer Philip Glass, and Anderson gradually drifted into performance art. In one early conceptualist effort, she stood playing the violin while wearing ice skates implanted in a block of ice; when the ice melted, the piece was over.

United States, however, is much more than a vanishing block of ice. Anderson's theme is nothing less than the dehumanizing crackup of modern society, and she treats it with an elaborate structure of symbols and images. Airplanes are a metaphor for physical risk (she was in a plane crash once), weightlessness and enforced camaraderie; dogs become a symbol of nature in harmonious, trusting alliance with humanity; the telephone is used both as an instrument of impersonal communication and the conveyor of whispered intimacies. Although there is no story line, Anderson strings her ideas together with deft, homey wordplay in a series of vignettes whose precise meaning may be ambiguous but whose effect is not. "The genius of American English is inflection," she explains. "I place phrases in different spots so they can resonate differently and leave lots of room for people to make connections."

"She said: 'It takes. It takes one. It takes one to. It takes one to know one.' He said: 'Isn't it just like a woman?' She said: 'She said it. She said it to no. She said it to no one. Isn't it. Isn't it just? Isn't it just like a woman? Your eyes. It's a day's work to look into them.' "

If Anderson's targets are largely conventional—the despoiling of the environment, the horrors of war—her methods are not. A voice-activated synthesizer called a Vocoder allows her to speak and sing in chords. Her violin bow has prerecorded tape where the hairs should be, and is drawn across a tape playback head on the instrument's bridge, enabling the violin to "speak." Her back-up band includes saxophones, amplified drums and synthesizer, even a jazz bagpiper. Films and slides are projected onto a giant screen, to reinforce and complement the sense of the words. It could all easily degenerate into a kitchen-sink philosophy; it is a tribute to Anderson's artistry that it does not.

With *United States* finally complete, Anderson will next turn her critical eye to another technological icon, television. "People don't know what to do with TV," she says. "It's used as a way to relax and be entertained, but I think Americans are insulted by the level of their TV." Characteristically, Anderson is equally leery of the cultural upholstery on British television ("It's creepy and dangerous"). But before she can begin work on her new opus, she will have to buy a television set, something she has so far resisted. "When I'm in front of a TV," says the multimedia artist par excellence, "I can't stop watching it. Anything with that much power is amazing to me."

"Big Science. Hallelujah. Big Science. Yodellayheehoo. Hey, Professor! Could you turn out the lights? Let's roll the film." —**By Michael Walsh. Reported by Nancy Newman/New York**

People

Old ballplayers don't just fade away, they can do Panasonic or Mr. Coffee ads. Or they can sign on as good-will personalities for Atlantic City casinos. **Willie Mays,** 51, kicked off the practice three years ago, when he was drafted for customer relations duties by Bally's Park Place Casino Hotel. Last week former Yankee Great **Mickey Mantle,** 51, still a part-time batting coach with the team, announced that he too was heading for the Boardwalk, to join the Claridge Hotel and Casino, at a reported $100,000 annually. Baseball Commissioner **Bowie Kuhn,** 56, swiftly and expectably stepped in to inform Mantle that he, like Mays, would have to sever his Yankee ties because of his new affiliation with legalized gambling. The onetime homerun king, who will be required to do little more than play in half a dozen golf tournaments a year with some of the casino's high rollers, accepted the news graciously. "I would never do anything to embarrass baseball," said Mantle. "But I've been out of the game for 14 years, and nobody's been knocking at my door."

■

The offspring of the Soviet hierarchy, like their Western counterparts, are not immune to public scrutiny. A case in point is Soviet Leader **Yuri Andropov's** son. Until his father was elevated to his new prominence, **Igor Andropov,** 37, toiled away at political research in blissful obscurity. Tall, bespectacled and slightly stooped like his father, the younger Andropov has been in Madrid since November as the fifth-ranking Soviet delegate to the European Security Conference. No mere beneficiary of nepotism, he has followed a career path similar to that of many successful Soviet diplomats. After studying at Moscow's prestigious State Institute for International Relations and at the Institute of U.S.A. and Canada Studies, he was reportedly posted to Budapest, where his father had been Ambassador during the Hungarian uprising in 1956. Igor has hardly cultivated the press, but at the conference last week, photographers breached his relative anonymity. Apparently he is easily recognizable. One diplomat who met him at the U.S. Ambassador's residence in Moscow reports, "The minute I saw him come in, I knew it was him. He's the spitting image of his father." A regular chip out of the old Soviet bloc.

Mantle holding the symbol of an old love before the edifice of a new income

Andropov at the European Security Conference in Madrid

Reagan and *Newsweek's* Graham

To celebrate the 50th anniversary of *Newsweek*, Washington Post Co. Chairman **Katharine Graham** hired not one hall but three of New York City's biggest. While most of the magazine's staffers celebrated at the Sheraton Centre hotel a few blocks away, a stream of stretch limos deposited celebrities at Lincoln Center for a biflorate black-tie dinner party at the New York State Theater and Avery Fisher Hall. Hostess Graham reportedly busied herself with the tiniest of details, right down to the seating arrangements. For First Lady **Nancy Reagan's** dinner companions, she chose **Henry Kissinger** and Lawyer **Edward Bennett Williams.** Flanking former President **Jimmy Carter** were Graham herself and **Margaret Truman Daniel. Rosalynn Carter** dined with former Democratic Party Boss **Robert Strauss** and **Richard Simmons,** Washington Post Co. president. Some 2,400 other place cards included notables from television **(Tom Brokaw, Walter Cronkite),** business **(Laurance Rockefeller, Lee Iacocca)** and show business **(Steven Spielberg, Diana Ross).** Two hours of after-dinner ceremonies went from Graham's opening remarks to a closing "My Turn" salute by Time Inc. Editor in Chief **Henry Grunwald,** who observed that TIME and *Newsweek* have been "inevitably linked as a fated pair, like Macy's and Gimbels, Coke and Pepsi, Hertz and Avis." Former *Newsweek* Editor in Chief **Osborn Elliott** recalled the day in 1961 when **Philip Graham** bought the magazine from **Vincent Astor's** estate. "All he had was a personal check," reported Elliott. "He said later he had never written a check for that amount of money and didn't know if he should put zero zero cents after the 2 million" for the down payment. Speculation was that Mrs. Graham spent that much again to say Happy Birthday, *Newsweek*.

—By E. Graydon Carter

Cuddly Dudley, the Wee Wonder

Hollywood embraces a most unlikely romantic lead

When he was six or seven and spending many of his days in British hospitals, a nurse gave Dudley Moore a good-night kiss. Her name was Pat, and 40 years later he can still feel the imprint of her lips on his cheek. He describes it in Proustian terms. "I almost spin when I think of it," he says. "She was truly an angel of mercy, and that kiss was probably the first taste of real, unqualified, uncomplicated affection I had ever had. In many ways my entire life is based on recapturing that single moment of affection."

These days that quest is closer to its goal than it ever was before. Moore, 47, has become America's newest, and least likely, romantic hero. At 5 ft. 2½ in., he looks up at all of his leading ladies. He is neither handsome nor intriguingly ugly, just nice looking, like millions of men in the paying public. But American audiences are now discovering what the British knew two decades ago. "He was known as Cuddly Dudley then," says Humorist Peter Cook, who collaborated with Moore through much of his career. "Whether women wanted to mother him or smother him, I don't know."

Picking out a movie score: Moore at his beach-house piano

Just nice looking, like millions of men in the paying public.

In *"10,"* Moore's first mega-success in film, Bo Derek did a little of both, accompanied by the hard-breathing beat of Ravel's *Boléro*. In *Arthur*, an even bigger hit, duties were shared by Liza Minnelli and John Gielgud, who played his long-suffering valet. There have been a couple of flops along the way, notably the ghoulish *Six Weeks*, whose bad reviews have left the star angry and bewildered.

In *Lovesick*, which opens on Feb. 18, Moore is a middle-aged Manhattan psychiatrist who falls in love with a nubile patient and finds happiness under the ironic eyes of Sigmund Freud's fantasy-ghost (Alec Guinness). The film was written and directed by Marshall Brickman, who collaborated with Woody Allen on the screenplays of *Sleeper*, *Annie Hall* and *Manhattan*, and it has many of the funny, arch touches of Allen's best pictures. The early scenes, particularly, in which a motley group of patients pass through Moore's office, are hilarious, knowing satire at its best. But the script ravels, wandering into contrivance and predictability. Moore gives a subtle, warm, finely tuned performance, however, and Elizabeth McGovern, 21, who had attention-grabbing parts in *Ordinary People* and *Ragtime*, shows enormous promise as the patient who sets off his mid-life crisis. She has an unusual beauty, with dark hair and blue eyes as bright as headlights and a sandy voice reminiscent of Jean Arthur's. The two of them form an odd combination, but it works.

Moore has finished *Romantic Comedy*, based on Bernard Slade's Broadway play, which will be released in October, and he is now working on *Unfaithfully Yours*, a remake of the Preston Sturges comedy, in which he portrays a famous conductor, convinced that his beautiful young wife (Nastassia Kinski) is having an affair behind his back. Five years ago, Moore was a well-known British comic who had a small American public; today he is one of Hollywood's top box-office draws, cuddling to his own bosom a salary of $2½ million for his latest picture.

In the grip of his good pal Susan Anton

To *Lovesick* Moore brought many touches from his own experience: he spent 17 years in the office of one shrink or another, trying to come to terms with a childhood that was more than unhappy. His father was a railway electrician, his mother was a shorthand typist, and he grew up in a poor, row-house neighborhood in the London suburb of Dagenham. But poverty was not the problem: it was a clubfoot and a skinny, slightly shorter left leg, which sent him in and out of hospitals from the age of two weeks on. "Psychologically it was made harrowing by the fact that my parents felt guilty about it," he says. "That made me feel as if I had done something wrong. Years later my mother quite honestly said to me, 'I wanted to kill you when you were born, because I felt so angry at myself and so terrible about the pain I knew you were going to have.' I'm not grim, but I'm still basically cringing from the defect. I remember kids sniggering and smirking—they called me Hopalong—and it has only been in recent years that I've pulled myself out of a certain anesthesia."

Only later, as he grew, or failed to grow, did Moore realize that he had another problem. "I felt very humiliated about my height when I was a child. Then, when I became interested in what can only be described as the opposite sex, I felt that being small was a disadvantage. I felt unworthy of anything, a little runt with a twisted foot." His was not a loving home, and his parents, both of whom were also 5 ft. 2 in., seemed to have two basic emotions, fear and anxiety. "They huddled together for some sort of comfort," he says. "I don't know that either of them could express love very well, to each other or to us."

In his early teens Moore learned how to win affection, and the lesson has dominated his life: people like to laugh, and they love those who can make them do so. Having discovered that vintage truth, he became the class clown. Says he: "I think it's every comedian's story." He was developing another crowd-pleasing talent as

well; he was a fine pianist who concocted melodies easily. He vaulted over the class barrier by winning a scholarship in music to Oxford; by the time he left with two degrees in 1958, he was an accomplished Garner-style jazzman and the prolific composer of tunes for local skits and cabarets. "Dudley has always had a promiscuous talent as a musician," says his old friend Jonathan Miller. "He secretes music like sweat."

Moore became famous in 1961 when he teamed with three other Oxbridge grads—Cook, Miller and Alan Bennett—in the satirical review *Beyond the Fringe*. Moore's most brilliant contributions were at the keyboard, in a lampoon of Myra Hess playing the *"Moonlight" Sonata* and in a hilarious, dizzy bit about a pianist who is unable to conclude a coda to a florid piece. The show played for four years to packed houses, first in London, then in New York. When it ended, Moore and Cook went on to do a television series and five movies, including *Bedazzled*, their zany version of the Faust legend. Their style was blithe, bizarre humor that turned logic upside down. In *Bedazzled*, for instance, they invented an order of leaping nuns who would jump on trampolines to get closer to God. In their knockabout revue *Good Evening*, which ran almost continuously for five years, they constructed an imaginary restaurant buried deep in the Yorkshire moors. It was called the Frog and the Peach, and there were only two entrées on the menu: *Frog à la pêche* and *Pêche à la frog*.

Cook, who calls Moore "the Wee Wonder" and "the Megamidget," probably became as close to Moore as anyone ever has, but their relationship was sometimes stormy. "We always got along well together when we were alone," says Moore, "but sometimes when other people were around, there was a competition. One of us was always trying to get the better of the other and, in public, we each adopted a superior attitude. He was bored by my desire to please, and I scorned his relentless and perverse cynicism."

In 1977 they split up. Cook worked in London while Moore tried his luck in Hollywood. The following year he costarred with Chevy Chase and Goldie Hawn as a sex-crazed swinger in the movie *Foul Play*. Since then he has never been idle, and rarely lonely.

Moore's height, or lack of it, has not hampered his relations with, in his words, what can only be described as the opposite sex. He is, in two words, girl crazy. He enjoys sex immensely and, given an opportunity, talks about it endlessly, with innocent self-absorption, as if he were describing the movements of the stars and planets. In a recent *Playboy* interview, almost the entire conversation is devoted to that one subject, and he recounts his love life, graphically and all too vividly, without inhibitions or constraints. "I have been talking about those things for years," he notes. "It's just that nobody likes to print them usually."

Snuggling the serene Bo Derek in *"10"*

Wide-eyed with Minnelli in *Arthur*, above, and shaded by McGovern in *Lovesick*

Moore has been married twice, to British Actress Suzy Kendall and to American Actress Tuesday Weld, with whom he has a son, Patrick, 6. Now divorced and living alone in Marina del Rey in Los Angeles County, he spends most of his time with Singer Susan Anton, 32, who is blond, toothy and very, very tall (5 ft. 11 in.). "Susan and I have been thrown together in the night for the past three years," he says, "and our relationship has been lingering on very pleasantly. I am relatively monogamous, but I don't believe in monogamy unless it happens to fall on one like a Russian satellite out of the sky. I don't want to be married again. It makes me feel that I have joined a club I don't want to be in."

Despite the money pouring down on him, Moore lives modestly by Hollywood standards. His airy beach house, which was once owned by Rudy Vallee, is comfortable but not luxurious. A Yamaha grand piano is the focal point of the living room, and an electronic piano adorns his bedroom. "Having a piano near by is an ever present box of delights in which I can always dip my hand," he says. He plays classical music for Anton, works out scores for movies, at the moment the love motif for *Unfaithfully Yours*. He pairs off easily with his friend Jazz Singer Cleo Laine, whether in a birthday serenade for Susan or on last summer's irresistible old-favorites album *Smilin' Through*.

He is content with this kind of "self-expression." He has no ambition to get behind the camera, package deals or plunge into real estate. Apart from the house, a white 1963 Bentley is one of his few major possessions. "I don't gain pleasure acquiring things to look at," he says. "I'd buy a museum reproduction before I'd go for the real antique. My mother used to keep books showing how much she spent—four pieces of bacon, three eggs—and made sure she had the right change in her purse. Maybe that strange sort of anal thoroughness stayed with me."

He is one of the few stars who admit to loving Hollywood parties; he enjoys dinners with six or eight guests, and he likes going to the movies as well as making them. One of his main goals still is to make people laugh, and that will probably never change. "I try to seduce," he says. "I want to attract people. I want their warmth. I want their love." —*By Gerald Clarke. Reported by Denise Worrell/Los Angeles*

Saving the Unfashionable Past

Builders try to overturn the landmark status of Lever House

On first thought, the idea of preserving New York City's 31-year-old Lever House as a historic landmark seems absurd. To some observers, the 24-story, blue-green glass slab seems shabby and unimpressive in the ice canyon of Park Avenue's taller and newer glass slabs. Yet last November the city's unsentimental landmarks preservation commission said that Lever House was worth saving. It pronounced the building in effect as important a memento of America's history as, say, the gilded façade of Grand Central Terminal, about ten blocks down the avenue. Now Fisher Bros., the real estate developers, have challenged this designation. They want to replace Lever House with a somewhat garish and more profitable 40-story tower that they say would earn the city an additional $9.4 million in taxes annually. Within the next five weeks, the city's powerful board of estimate will make the final decision on Lever House's landmark status.

In the past, American cities have too often resolved similar dilemmas by yielding to profit and "progress." The gain in revenue is canceled out by a loss of urban vitality. Some of the diversity, historic continuity and character of a city is destroyed when old buildings are razed. Character attracts visitors, gives residents a sense of belonging and accounts for the affinity between cities and civilization. The notion that we must revitalize the heart of a city every two decades, in accord with the latest architectural fashion, explains the cities' bland uniformity.

Despite its relative youth and somewhat dilapidated appearance, Lever House is as worthy a landmark as Grand Central Terminal. If Lever House, which is smaller than zoning codes permit, is an inefficient moneymaker and a somewhat obsolete office building, Grand Central is almost antediluvian. Nonetheless, New York's historic preservationists won an important battle five years ago when the Supreme Court defeated a preposterous proposal to build a new skyscraping tower on the old structure.

Recently spruced up, but, alas, so far only externally, Grand Central Terminal is a splendid specimen of *Beaux-Arts* architecture. It is also the statement of an era, a monument to the triumph of the railroads in forging an empire out of a wilderness and creating a wealth of museum treasures, public libraries and handsome buildings.

Much as Grand Central was early in the century, Lever House was at mid-century the proud proclamation of a new era. The spirit of this epoch was, in a way, as bold and arrogant as that of the railroad magnates. It was the period of great national and, ultimately, international corporations.

Charles Luckman, Lever Bros.' president from 1946 to 1950, and an architect, felt strongly that the era needed an architectural expression. He commissioned Gordon Bunshaft of Skidmore, Owings & Merrill to find it for Lever's new headquarters on Park Avenue between East 53rd and East 54th streets. The inspiration for Bunshaft, who later built the glass-walled PepsiCo, Inc., building in New York City and the Hirshhorn Museum and Sculpture Garden in Washington, D.C., was the International Style. It was the architecture of functionalism that had originated in Europe before World War II and had been introduced in New York by the international team of architects that designed the United Nations Headquarters building in 1947. But at that time the style had not really succeeded in Europe. Bunshaft's Lever House, completed in 1952, spread it with wildfire speed all over the world.

Bunshaft's Lever House consisted of two glass slabs. A one-story horizontal slab, partly on stilts, is laid parallel to Park Avenue. A 24-story vertical slab intersects the horizontal one and faces East 54th Street. The openings under the stilts lead to an interior court. The building occupies only 25% of the permissible space, for dramatic effect and to let light into the offices.

In retrospect, Bunshaft's abstract sculpture reflects the anti-urban bias of the early modern movement. Its vertical slab interrupts the building line along East 54th Street. Such disruption is now considered detrimental to an orderly street pattern. And the court Bunshaft created is uninviting and mostly empty.

But these insights came later. In 1952 Lever House was universally praised. On Park Avenue at present, its quality is surpassed only by Mies van der Rohe's Seagram Building, one block away. Said Architect Eero Saarinen: "Bunshaft should be covered with laurels. He has created one of the finest buildings of our time."

Swanke Hayden Connell Architects, the firm that has designed the proposed replacement for Lever House, has charged that Lever is out of date and badly deteriorated, requiring restoration that would cost millions of dollars. Retorts William Conklin, vice chairman of the landmarks commission: "It's absolutely ridiculous to say that the building is falling down. It is unfair exaggeration used for political impact."

It is true, however, that International Style architecture is not as popular today as it was 30 years ago. But the historic significance of architectural styles is as indisputable as the historic events surrounding them. Architecture, as Mies put it, "is the translation of the spirit of an epoch into space."

The most important argument for preserving Lever House is respect for the past. We do not throw out the wedding pictures of our parents because their dress now looks funny, or because the pictures are not quite so wonderful as we once thought they were. —*By Wolf Von Eckardt. Reported by Kathryn Jackson Fallon/New York*

MICHAEL MELFORD

New York's Lever House and, inset, its proposed replacement

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Theater

Singing the Brahmin Blues

PAINTING CHURCHES *by Tina Howe*

This is a radiant, loving and zestfully humorous play about subjects that darken the mind with icy forebodings. It concerns growing old and getting senile, leaving a spacious ancestral home and entering the anteroom of death.

It also concerns the generation gulf, the estrangement and reconciliation of a daughter and her parents. In a family, each member exists in the eye of the beholder. Since each person's vision differs, the illusions of a lifetime may be stripped away in bruising and bracing moments of revelation. Isn't this precisely what one expects a fine portrait painter to do?

The artist in question is Mags (short for Margaret) Church. She lives in Manhattan and is about to have a one-woman show at a 57th Street gallery. With pride and belated affection, she visits her patrician parents on Boston's Beacon Hill. The house, which has been sold, greets Mags like a bare, ruined choir of lamentation. The great vaulting windows are naked, the marble fireplace mantelpiece is shrouded, and the living room floor is

Moffat and Seldes in *Churches*

scattered with empty packing cartons. In the direst exodus of their lives, Fanny (Marian Seldes) and Gardner Church (Donald Moffat) are retreating, year-round, to their summer cottage on Cape Cod. There, as Fanny puts it, with caustic self-pity, there will be "nothing but the gulls, the oysters and us."

Mags intends to do their portrait, but the Churches paint it for us first. Gardner has been a renowned poet, the confrere of Yeats and Frost, whom he tellingly quotes. Now he is, in Fanny's words, "very ga-ga" and "deaf as an adder." He repeats questions that he has asked and answers questions that have not been asked. He guards his latest incoherent manuscript like a toothless lion and then flings it through the air like a sheaf of errant snowflakes.

As for Fanny, she seems initially like a snobbish and slightly silly guardian of the Brahmins' unalterable law of proprieties. But as the play progresses, she begins to reveal a zany comic sense and something more: the courage to carry out the marriage vows in adversity. Frances Conroy's Mags is quite touching as she seeks a parental benison on her vocation. None of the performances could be bettered. Seldes and Moffat may never have given more emotionally charged and exquisitely crafted performances in their long-spanned careers.

After *Museum* and *The Art of Dining*, Tina Howe continues to learn, and to grow as a playwright. In *Painting Churches*, at off-Broadway's Second Stage theater, the tone, if not the maturity, is distinctly Chekhovian. Howe captures the same edgy surface of false hilarity, the same unutterable sadness beneath it, and the indomitable valor beneath both.

—*By T.E. Kalem*

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Raw Bones, Fire and Patience

Talented new biographers are moving beyond scholarship

"A well-written Life is almost as rare as a well-spent one," observed Thomas Carlyle more than a century ago. The well-spent ones are still as scarce as first editions. But, thanks to a number of gifted and imaginative biographers, well-written lives are now a lot easier to find.

In the past few years, oversize, prize-winning stories of figures as varied as Somerset Maugham and Theodore Roosevelt, Isak Dinesen and Lyndon Johnson have sold briskly and drawn critical raves. The volumes have rescued the genre from charges that it was succumbing to the as-told-to stories of celebrities like Phil Donahue, such drugboilers as Albert Goldman's *Elvis* and George Plimpton and Jean Stein's *Edie*, essentially a snip-and-paste collage of interviews. Moreover, these new lives are not exclusively devoted to the scholarly examination of papers and letters. "Not long ago, most biographies were compiled by diligent researchers," says Michael Di Capua, editor in chief of Farrar, Straus & Giroux. But diligent was all they were. "Now it's rare for books like that to get published." Instead, the work is being done by artists who have extended their range far beyond the academic. In their debuts, Edmund Morris *(The Rise of Theodore Roosevelt)* and Judith Thurman *(Isak Dinesen)* write with a verve that approaches the novelistic. And that, Di Capua concludes, is the reason for their success: "In the hands of a good writer, a life can offer the same kind of satisfaction that first-rate fiction does."

Justin Kaplan, 57, one of the best working biographers, was unhappy when he tried his hand at fiction in his Harvard days. "It was not covert or impersonal enough," recalls the Pulitzer Prize and National Book Award winner for *Mr. Clemens and Mark Twain*. But Kaplan's sharply observed lives possess an imaginative drive found in the best tales. Says Kaplan: "It's like a Dickens novel. You get a feeling of the society around the life. And a good narrative."

Kaplan's narratives, like William Manchester's in his monumental, novelistic *American Caesar: Douglas MacArthur* (1978), are logical, not chronological. Kaplan does not, for example, begin his recent *Walt Whitman: A Life*, with the poet's birth. Instead, the bard is introduced at age 65, broken and disabled by a stroke, buying his first house in seedy Camden, N.J. His brother George is angered by those "whorehouse" poems. Whitman responds, "I just did what I did because I did it—that's the whole secret." "You're as stubborn as hell," George says. "You are stubborner, Walt, than a load of bricks."

Justin Kaplan

Robert Caro

Judith Thurman

And with the bricks Kaplan begins to build his biographical structure. He believes that the choice of subject is one reason for his success. "The biographer," Kaplan observes, "is the equivalent of a good jockey. You can't win the race without a good horse."

Now researching a biography of Charlie Chaplin, the author is usually found in the comfortable Cambridge, Mass., home he shares with his wife, Novelist Anne Bernays. His study is littered with dolls, posters and memorabilia of "the Little Tramp." Why a film figure? Like Twain and Whitman, he believes "Chaplin rightly thought he was creating a new kind of language." The new languages need an interpreter: "You hope to be on the inside of your subject, but also hold a distance from him," Kaplan says. But sometimes it does not work that way. "I once dreamed that Walt Whitman was pursuing me with an ax for invading his privacy."

Ted Morgan regards the invasion of privacy as a sacred duty. The former reporter, who was awarded a Pulitzer Prize for journalism in 1961, is now noted for the objectivity of his portraits of the youthful Winston in *Churchill: Young Man in a Hurry* and of the aged Willie in *Maugham*. But they are edged with steel. Morgan, 50, feels that either love or hate is a dangerous conceit. Says he: "You have to be clinical, like a coroner dissecting a corpse." His scalpel reveals a Churchill swollen with hubris and a stingy Maugham pathologically concealing his homosexuality from the public. Morgan, like his colleagues, perceives his subjects in novelistic terms: "What I am looking for in a subject is a tragic life with many setbacks and recoveries, and with a transforming experience."

The biographer himself has been transformed. Morgan changed his name from Sanche de Gramont in 1977 when he became a U.S. citizen. The son of a diplomat had been raised as a hereditary count in one of France's oldest aristocratic families. A graduate of Yale, Morgan detailed his affection for the U.S. in *Rowing Toward Eden* (1981). Now at work on a one-volume life of Franklin D. Roosevelt, Morgan says, "I think about him constantly. The subject is something that you can't get out of your head. They said that when William Manchester was working on *MacArthur* he started smoking a corncob pipe and walking on the heels of his feet. That didn't happen to me. But I did learn something from each of my subjects." The lessons, however, do not impinge on the time he takes for research: "You almost have to be an intelligence service that grades information on the quality of the source."

Poet Judith Thurman, 36, labored to form her first effort at biography, the scrupulous and elegant *Isak Dinesen: The Life of a Storyteller*, along accepted

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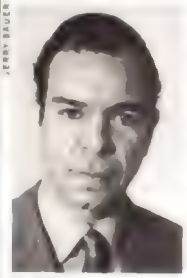
Books

Freudian lines. The author, so goes the convention, must interpret her subject psychologically for the reader. Thurman balked at the role of therapist. "Psychoanalyzing is absolutely useless," she recalls. "I was treating Dinesen as a case. I dropped that." Now she views her work as a love affair. "First it was the ecstasy, then total disillusionment, and finally came a deeper understanding and acceptance of the person." As sales and critiques have shown, the result was equally satisfying to readers. Concludes Thurman: "Apparently people are hungry for some real wisdom that they don't seem to be getting from fiction."

Like many of her contemporaries, Thurman prepared for the task with a concentration that amounted to fanaticism. She learned Danish and followed the tracks of Baroness Karen Blixen, who wrote under the name Isak Dinesen, through Europe, Africa and the U.S. In the Dinesen family's country house, she was allowed to stay the night: "Can you imagine what it was like, lying in bed with the scent of roses and the ticking of clocks in every room, and downstairs were all those papers and letters locked away?"


JERRY BAUER
Ted Morgan

Each Monday, Thurman left her husband Jonathan David, a cinematographer, in Manhattan to work 16-hour days in a Long Island cottage. There she subconsciously evoked a mood by wearing Dinesen's favorite perfume, Fracas. "It was eerie," she remembers. "The identification was very deep." Almost every line demonstrates an affection tempered by careful attention to detail. As Dinesen went into decline, Thurman reports, "she let down her guard, she relaxed her crooked smile, and her eyes—which she still carefully made up with kohl—seemed to stream with light. There was something almost inhuman about her fragility . . . She was, in fact, dying of malnutrition. After the asparagus season was over she lived exclusively on glasses of fruit and vegetable juice, ampules of *gelée royale*, oysters and dry biscuits."

The new Boswells are not always so enamored of their subjects. "I thought I was going to love Lyndon Johnson," says Journalist Robert Caro. "I knew he was going to be shrewd and tough and ruthless, but that was all right." Caro, 47, a former investigative reporter, should have known better. *The Power Broker*, his 1,200-page study of New York's urban-development and highway czar Robert Moses, so unsettled its subject that he issued a rebuttal to Caro's many allegations. Despite objections, the book won a Pulitzer Prize. In *The Path to Power*, the 882-page first of three volumes on L.B.J., Caro argues, not always convincingly.

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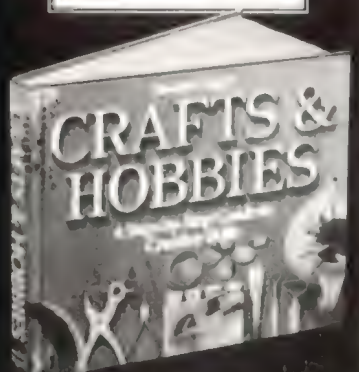

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that the 36th President illegally ran a blind trust fund from the Oval Office and that his avarice and cunning were rooted in childhood. If, as Emerson wrote, "geniuses have the shortest biographies," Caro has envisioned an L.B.J. who was hardly a candidate for Mensa. With a probable 1,600 pages left to go, Caro has already concluded that Johnson lacked "any consistent ideology or principle, in fact, any moral foundation whatsoever." The book has come under considerable attack from critics, not all of them admirers of L.B.J. The opponents argue that the biographer has forced his subject into a mean-spirited characterization far too small to hold the real and complex Johnson. *The Path to Power* makes accusations but withholds proofs until the projected second volume, still years away. Moreover, it seems endlessly repetitive, as if Caro were a nervous lecturer who did not trust his audience.

Whatever the merits of the case, Caro's detective work must have worn out more than one pair of shoes. Caro and his wife Ina, a historian, actually moved to the remote Texas hill country of Johnson's youth. There he conducted many of the more than 700 interviews for his book. Even high school sweethearts and L.B.J.'s first campaign driver were included. At one point, Caro describes the young congressional aide's first view of the Capitol. The author felt it to be a symbol of what Washington represented to the youthful L.B.J. Caro had already located the seedy hotel where Johnson lived at the time, and he knew that the young man kept farm-boy hours. Caro walked Johnson's route at 5:30 a.m. and found that the sun rose just behind the Capitol dome, bathing it in a spectacular, almost mystical light. "You can imagine," he recalls, "what that vision must have meant to a boy from the hill country." It meant something to Caro as well. A life examined in such detail, he maintains, is a fit representative of history. Says he: "Biography, properly done, can illuminate an entire era."

Edmund Morris

Edmund Morris, 42, has also completed one volume of a three-part presidential study. *The Rise of Theodore Roosevelt* won a Pulitzer Prize in 1980, and *Theodore Rex* will appear within two years. Unlike Caro, Morris, who keeps residences on New York City's fashionable Central Park South and in Washington, D.C., is bully on his subject. "I got interested listening to Nixon's farewell speech to his staff," he says, "because he quoted T.R.'s elegy to his dying wife." The result was an unproduced screenplay, *The Dude from New York City*. Some four years later it

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Books

became a biography of unusual grace and attracted fresh interest in the 26th President. Indeed, since Morris' 1979 book, David McCullough's popular *Mornings on Horseback* has captured the young T.R. in a vivid collection of vignettes.

While Caro explores every shred of evidence and exhausts every interview, Morris believes that biographers should keep out of places where they do not belong. Fascinated by T.R.'s courtship of his first wife, Alice Lee, detailed in the future President's diary, Morris nonetheless accepted Roosevelt's brief entry for the couple's wedding night: "Happiness is too sacred to write about." Although this may seem a bizarre attitude for a biographer, Morris is adamant: "If the subject doesn't want you in part of his life, you have no right to invade it. All the biographer needs is the ability to penetrate somebody's soul, honesty and a sense of drama."

Antonia Fraser

A sense of place and pace helps. When Teddy believes that the wounded President McKinley will recover and his own plans for the presidency may never succeed, the young Vice President flees to an Adirondack mountaintop: "The clouds parted unexpectedly, sunshine poured down on his head, and for a few moments a world of trees and mountains and sparkling water lay all around him ... below a ranger was approaching, running, clutching the yellow slip of a telegram. Instinctively, he knew the message the man was bringing."

With each volume, Morris and his fellow American biographers are proving the theory of their more celebrated colleague, Antonia Fraser. The author of four distinguished and popular works about such British historical figures as Cromwell and Mary, Queen of Scots, Lady Antonia maintains that her field is perhaps the only one in which the flawed can be overruled by the excellent and the cheap by the enduring. Says she: "Where biographies are concerned, the good will always drive out the bad." Morris is even more enthusiastic. "Biography is becoming the most important nonfiction form. I rejoice to see it coming back to where it belongs, in the hands of us amateurs."

Those amateurs have more than a love of their subjects. Judith Thurman views the practice as a form of alchemy. Describing the clear consommé made by Isak Dinesen's African cook, she writes, "You keep the spirit, but discard the rough ingredients: eggshells and raw bones. You then submit them to fire and patience. And the clarity comes at the end like a magic trick." The recipe stands as a metaphor for all well-written Lives. —*By J.D. Reed.*

Reported by Janice C. Simpson/New York

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A Grisly Bedtime Story

THE NIGHT OF THE SHOOTING STARS
Directed and Written by Paolo and Vittorio Taviani

The belief is as old as the Tuscan hills. For the villagers of San Martino, the feast of San Lorenzo is the night when wishes come true. This night, Aug. 10, 1944, there is much to wish for and little hope of satisfaction. The German army is in retreat, dragging its dead across northern Italy. Gangs of Blackshirts, faithful to their Duce, are sweeping the countryside with kamikaze ferocity. The American G.I.s, tough-guy redeemers, may arrive tomorrow or never. So a score of the villagers leave San Martino to escape the carnage—and find what? What these ordinary people find in themselves surprises them: the fierce, fulfilling strength of solidarity, a species of collective heroism.

Since their first feature film in 1962, the brothers Paolo and Vittorio Taviani have explored the themes and feelings of the Italian left. But their work is no forced march of socialist stereotypes. Like the characters in the Tavianis' *Allonsanfan* and *Padre Padrone*, the people of San Martino never surrender their luxuriant individuality. One young woman with a large birthmark on her cheek and a mischievous smile in her eyes tells a virginal girlfriend: "You don't know what it's like to be ugly and still feel beautiful." An angel-faced teen-age boy, whose ardor for Fascism amounts almost to sexual hysteria, is shot by some of the villagers he tried to kill; seeing this, his Fascist father flies into a fatal jitterbug of despair, burrowing his head into the hard earth. Cecilia, at six the youngest of the fleeing villagers, finds the ordeal a delicious, dangerous game, like hopscotching through a minefield.

This essentially true tale of a village's resistance is told by the present-day Cecilia to her own child on another night of shooting stars. It may seem the grisliest of bedtime stories, an unholy mixture of Disney and *The Disasters of War*. But it allows this event to be seen through the wide clear eyes of a child, and to exist both in the recent historical past and in the storybook realm of once-upon-a-time.

Like the beneficent San Lorenzo, the Tavianis grant each villager's wish by making no formal distinctions between reality and fable. Every one of Cinematographer Franco di Giacomo's images has the same cartoon clarity whether it documents the townspeople's journey or dramatizes their sweetest, saddest fantasies. A girl bumps into some soldiers and sees them as G.I.s, come to take her to America; in fact they are Germans about to slaughter her, and her vision is a dream flash the moment before she dies. Early in the film, the villagers hear a faint but rousing rendition of *The Battle Hymn of the Republic* and imagine it is the American Army; in fact it is only a phonograph record, but the villagers believe, and one young man, scanning the hills, wipes tears from his eyes as he exclaims, "I see them!"

It is the achievement of the Tavianis and their cast of professional and nonprofessional actors that the receptive viewer comes to see and share these dreams, finding gentle humor and martial horror in each character, each scene and shot. By the end of this majestic entertainment one feels like the children in it: that one has not been told this story but dreamed it, and awakened refreshed and exhilarated.

—*By Richard Corliss*

Scotch Broth

LOCAL HERO
Directed and Written by Bill Forsyth

In the old days of British comedy, the plot would have been predictable. If a big American oil company decided to buy an unspoiled Scottish village (and its little crescent beach) in order to destroy it and then build a refinery, the natives would launch a counterstrike of sly and eccentric schemes designed to sabotage the outlanders' plans. How times have changed! In *Local Hero*, the residents, excepting one beachcomber holdout, are all eager to sell. It is the outsiders, succumbing to the charm of the place, who end up defending it against everyone's greedy impulses.

As he demonstrated in last summer's *Gregory's Girl*, Bill Forsyth is a master of the throwaway turnabout. Here, with a tenser situation and a somewhat richer mix of characters, he makes about the kind of advance one would expect from him, modest and self-effacing. MacIntyre (Peter Riegert), the acquisitions man from Knox Oil and Gas, may think of himself as "a telex man," all hard figures and bottom lines, but once in the field he is entirely capable of going all soppy about a wounded rabbit. His boss, Felix Happer (Burt Lancaster, expertly doing his clean-old-man routine), is anything but the Texas tycoon of fable; he scrambles his own eggs and is an amateur astronomer who orders MacIntyre to keep an eye out for unusual activity around the constellation Virgo as well as along the coveted coastline. Popping in and out of the picture are a marine biologist who turns out to have webbed toes, a Russian trawler officer who paddles in to play the stock market when the fish are running near a capitalist land mass, and a hotel manager who is also a shrewd accountant and a demon lover. The minister hereabouts is a black African quite content to be wildly displaced.

Lancaster

Displacement of conventional expectations is, of course, Forsyth's specialty. If one sometimes wishes Forsyth could more often keep his eye on the comic point, it is also true that he finds his best material out there on the periphery, at the edge of the frame. What is a punk rocker doing in the rural highlands? Why does that motorbiker keep burp-burping through the action without explaining himself? Forsyth isn't telling. He's just laughing to himself, a shy, shrewd film maker worth bending near so you can hear what he has to say amidst the contemporary din.

—*By Richard Schickel*

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The record vault: "It takes a certain reckless nature to run full speed with a 16½-ft. pole, stick that thing in a box and twang yourself into the air"

Sport

High on a Swizzle Stick

Pole Vaulter Billy Olson passes 19 ft. and keeps looking up

Billy Olson used to dream of flying, not over crossbars, over rooftops. "I imagined myself jumping off fences and just flying," he says, "running down the street, flapping my arms and . . . taking off." For those who have never traveled by catapult, this is the sensation of pole vaulting.

So, as it happens, is Olson, a droll and drawling Abilene Texan, who at the snap of a fiber-glass tube this month hoisted himself 19 ft. ¼ in., becoming the first man to vault 19 ft. indoors. "I'm going to go higher," he promises, "I think a good bit higher, though I'm not saying how high. I don't want to do it some day and get happy with it. I want to go higher and higher." Just how high a man can go, like how fast and how far, has always been the peculiar fascination of athletics in its purest form, track and field, where the athletes are not exactly pure but certainly are peculiar.

Celebrating 19-ft. ¼-in. mark

As an amateur tradition, under-the-table paychecks date back to the Punic Wars at least. Still, considering the regimen of exercise and travel in light of the pay scale in popular professional games, the people who test man's physical limitations qualify as idealists, even dreamers. And it is not too hard to believe Olson when he lists the rewards as "very little money, a certain amount of glory, mostly the sensation of the jumping itself, the feeling of it, the rush it gives you that's like nothing else. Then, the competition. If nothing came out of it but the competition, that would be enough for me."

It is not even too hard to believe Cornelius Warmerdam, who at 67 has stopped vaulting and does not mind saying how high men can go: 24 ft. No matter how powerful the man, or how pliable his swizzle stick, Warmerdam says 24 ft. That's just his opinion, but he knows something about these things.

Warmerdam vaulted 15 ft. in 1940 when everyone, including Warmerdam, thought it was impossible. "It was like the sound barrier," he says. Before anyone else made 15 ft., eleven years later, Warmerdam had done it 43 times. He held the world record 15 years. "Of course I go back to when the pole was a pretty stable instrument," he explains. Warmerdam's first bolt of bamboo carried him over high hedges and cringing livestock all across his father's spinach farm in California's San Joaquin Valley. His records were built of bamboo; steel and aluminum poles came along in the '50s, fiber glass in the '60s. Since then, the record has been improved by leaps and sproings. But the 19-ft. ¾-in. outdoor mark of that aptly named Russian Vladimir Polyakov has been posted over a year and a half now, and only Frenchman Thierry Vigneron (19 ft. ¼ in.) and Olson have reached such heights.

"The equipment is better," says Warmerdam, "but so are the athletes. It's a combination." Just as the pole vaulter himself is a combination: sprinter, weight lifter, gymnast. He is characteristically happy. "Because," says Warmerdam brightly, "it is just a fun thing to do."

Olson "honestly and truthfully" discovered pole vaulting in an encyclopedia, a picture sequence of Warmerdam floating above the bar. "I thought, 'Golly, that's the neatest-looking thing.' " Later, as a teen-ager, he commandeered a friend's pole and commenced 12-ft. and 13-ft. launches. "It takes a certain reckless nature," he acknowledges, "to run full speed with a 16½-ft. pole, stick that thing in a box and twang yourself into the air."

A bail bondsman's son, Olson says, "I was the proudest boy in town the day I got a college scholarship." Now 24, finished at Abilene Christian University, he has been testing and shaping himself with a bespectacled eye on the 1984 Olympics, meanwhile amending the indoor record seven times. Next week the peripatetic indoor season climaxes at New York's Madison Square Garden with the U.S.A. Mobil Indoor Track and Field Championships.

Travel has never been easy for pole vaulters. Cab drivers would take Warmerdam, but not Warmerdam's poles. Says Olson: "The poles won't fit on the airplanes that fly out of Abilene, so you have to strap them on the car—four or five of them in 6-in. cylinders—and drive them to Dallas. Most people think they are cannons. You should see me coming though the airport. People do a lot of ducking."

He is further burdened by golf clubs. Olson, who declares modestly, "I can hit a golf ball farther than any man in the world," is accustomed to driving 360-yd. par 4s. Though a score in the high 70s or low 80s usually pleases him, it seldom thrills his playing partners. "I've been accused of being a sandbagger," he admits. "I guess I'm the most frustrated golfer in the world. I'll tell you, if I had the choice of being the best pole vaulter in the world or the best golfer, I'd trade."

But he seems to reconsider even as he says it. Golfers can't fly. —*By Tom Callahan*

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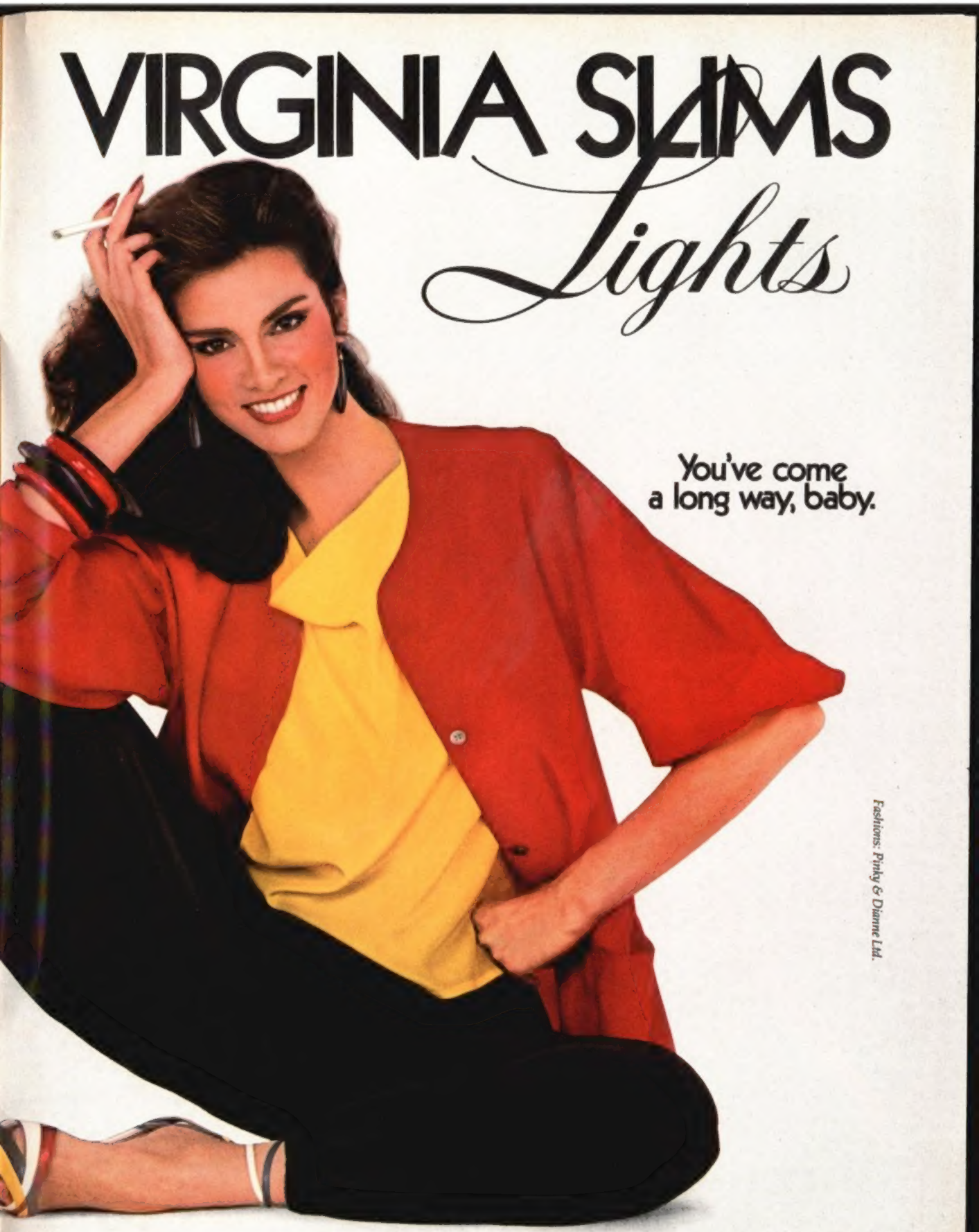
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